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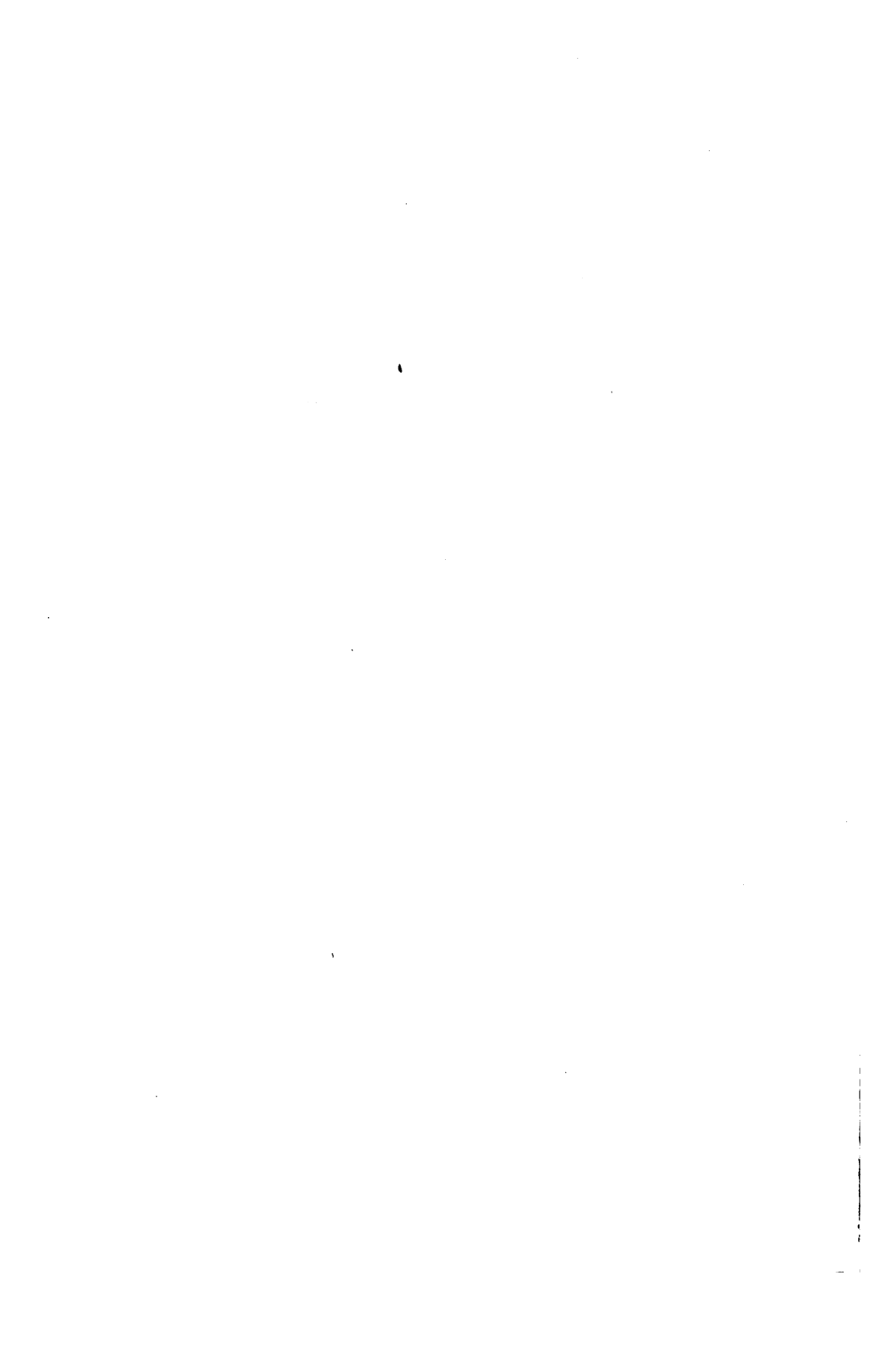
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"I WOULD RATHER BE RIGHT THAN BE PRESIDENT"

SKETCH OF THE LIFE
AND THE
PRINCIPAL SPEECHES
OF
HENRY CLAY.

COMPILED FROM THE LATEST AND BEST AUTHORITIES.

"I implore, as the best blessing which Heaven can bestow upon me, that if the direful event of the dissolution of this Union is to happen, I shall not survive to behold the sad and heart-rending spectacle."

CINCINNATI:
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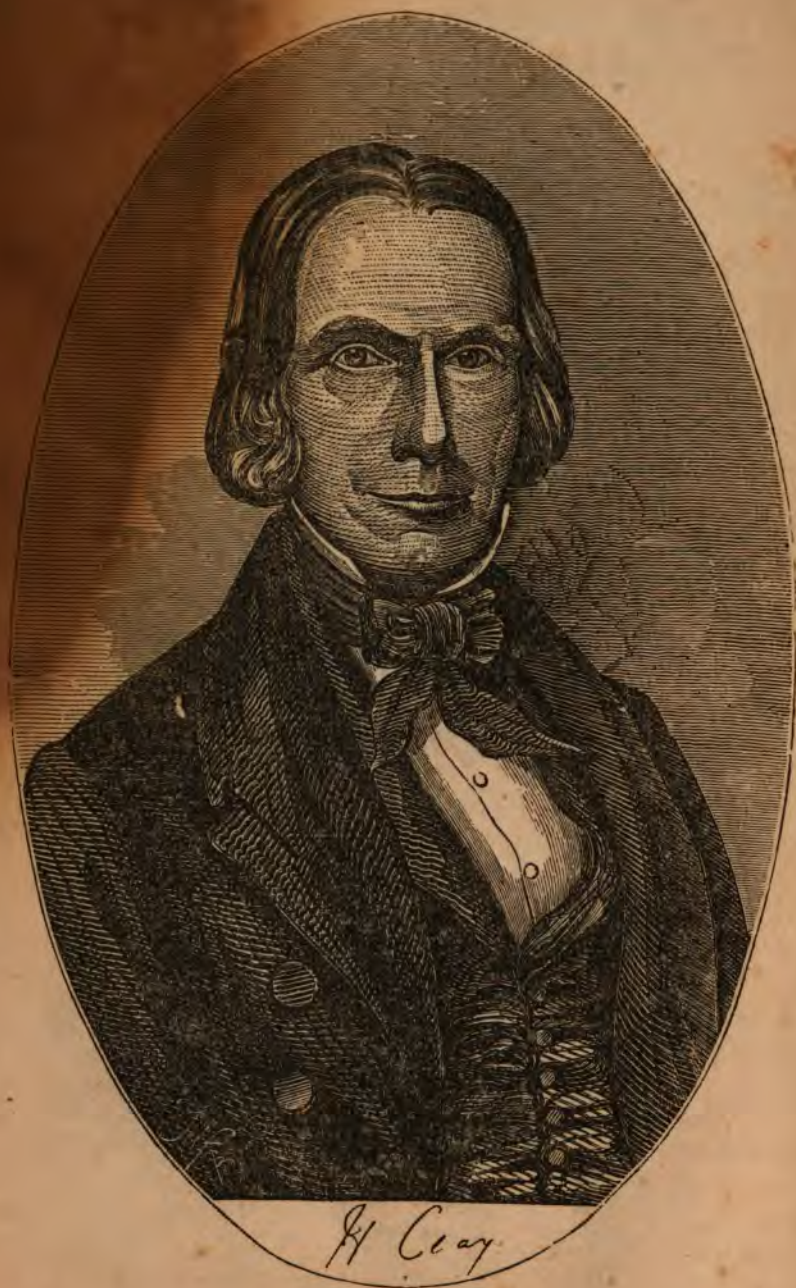
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LIFE OF HENRY CLAY.

It is proposed to present a short Sketch of the Life of Henry Clay, as a fit accompaniment to this edition of his Speeches. To present anything like a full history of the Man, the Lawyer and the Statesman, who was altogether the most prominent man in America during the age in which he lived, would require volumes, and is wholly beyond the purpose as well as the limits of the present sketch. The time indeed is not yet ripe for an impartial and authoritative commentary on either his own actions and opinions, or on the political questions with which his name is connected, either as an advocate or an opponent of them.

Henry Clay was born of humble and poor parents, in that part of Hanover County, Virginia, known as the *Slashes*, on the 12th day of April, in the year 1777.* His father died while he was yet a child, leaving him no other patrimony than an honest name. Until he attained the age of fourteen, he passed his time amidst the scenes of lowly, rustic life, receiving occasional instruction in the rudiments of knowledge beneath the humble roof of a log-cabin school-house, but more generally engaged in the active duties of plow-boy and mill-boy. At the age of fourteen, he went into the employment of Richard Denny, who then kept a small retail store in the city of Richmond, in which he remained about a year. He was next placed under the care of Mr. Peter Tinsley, the Clerk of the High Court of Chancery, in the city of Richmond, on the bench of which then sat one of the most accomplished jurists and scholars of America, the Venerable George Wythe, remarkable, as well for the unspotted integrity of his character, as for his judicial and classical learning. In the friendship and daily conversation of Chancellor Wythe, the youthful Clay found at once, no mean substitute for

*It has been recently stated, with some appearance of truth, that Mr. Clay was born in 1775, instead of 1777, as believed by himself. The year of his birth is therefore at present a matter of some uncertainty.

both father and instructor. He was employed as the amanuensis of the Chancellor, and thus became familiar not only with the thoughts and opinions of his distinguished patron, but also with the choice language with which he never failed to express them.

"Leaving the office of Mr. Tinsley the latter part of 1796, he went to reside with the late Robert Brooke, Esq., the Attorney-General, formerly Governor of Virginia. His only regular study of the law was during the year 1797, that he lived with Mr. Brooke; but it was impossible that he should not, in the daily scenes he witnessed, and in the presence of the eminent men whom he so often heard and saw, be in the way of gathering much valuable legal information. During his residence of six or seven years in Richmond, he became acquainted with all or most of the eminent Virginians of the period, who lived in that city, or were in the habit of resorting to it—with Edmund Pendleton, Spencer Roane, Chief Justice Marshall, Bushrod Washington, Wickham, Call, Copeland, &c. On two occasions he had the good fortune to hear Patrick Henry—once before the Circuit Court of the United States for the Virginia District, on the question of the payment of the British debts; and again before the House of Delegates of Virginia, on the claim of the supernumerary officers in the service of the State during the Revolutionary War. Mr. Clay remembered that remarkable man, his appearance and his manner distinctly. The impression of his eloquent powers remaining on his mind, was that their charm consisted mainly in one of the finest voices ever heard; in his graceful gesticulation, and the variety and force of expression which he exhibited in his face."*

In the month of November, 1797, having arrived at manhood, and received a license to practice the law from the Court of Appeals of Virginia, and feeling within himself the first throbbings of those mighty powers of mind and soul which were soon to proclaim his name throughout the civilized world, he determined, on leaving the metropolis of his native State, to find a home and new friends in the unsettled but bountiful West; where the forests were yet to be hewn down and the social fabric erected—where amidst a new order of things, genius and energy were to find their appropriate field as well as their recompense. He commenced his professional life at once, in Lexington, Kentucky, his new home, as he himself has said,

* Sargent's Life of Clay.

without patrons, without influential friends, and without the means of paying his weekly board, and immediately rushed into a lucrative practice. His frankness and gravity, his ardent feelings, his lofty principles, his brilliant talents, but as much as all else, his manly courage in advocating the interests and rights of his clients, however humble, and protecting them against the aggressions of the wealthy and the influential, conspired to command his success at the bar, and finally to induct him, through the suffrages of his fellow citizens, into those public offices which he so well filled and so much adorned. Although throughout his life, Mr. Clay, as a lawyer, stood in the very front rank of his profession, yet it is not in this character that the world is in the habit of regarding him. However exalted his talents; however extensive and deep his learning; no mere lawyer can ever have much more than a local reputation, except among his own professional brethren. It is as a popular Leader and Statesman, as the "GREAT COMMONER," that Mr. Clay is known, wherever the light of civilization shines, or a pulsation of liberty is felt in the human breast.

Mr. Clay's political life commenced shortly after his removal to Kentucky, in the advocacy of a gradual emancipation of the slaves of that State; to effect which, he labored strenuously, but without success, to have a clause inserted in the New Constitution then about to be formed. Gradual emancipation was at all times a favorite doctrine with him; asserted and earnestly maintained by him on all appropriate occasions, without regard to popular displeasure, and always with a heavy majority in his own State opposed to his views on this question. In his speech on the Mexican war, delivered to a popular assembly at Lexington, on the 13th of November, 1847, he reiterated, as the matured opinions of his old age, the sentiments on this subject, to which he first gave utterance nearly fifty years before.

In the year 1803, without solicitation on his part, and indeed without his knowledge, while he was absent from home, Mr. Clay was brought forward as a candidate for the Legislature of his adopted State, and elected. He continued a member of the General Assembly of Kentucky until the year 1806, when on the 29th of December, in that year, at the age of twenty-nine, he was called by the body of which he had been a member, to represent the State of Kentucky in the Senate of the United States, filling the vacancy

occasioned by the resignation of Hon. John Adair. Although thus early thrown among men of wisdom, and matured intellect, he was not there to sit as a listener and admirer of other men; he at once realized the responsibilities of his high office, and true to his nature, fearlessly, and at once, entered upon the active discharge of all his duties. His first efforts in the Senate, were directed to the subject of internal improvements. He continued in the Senate only until the 4th of March, 1807. In the succeeding summer, his services were again required by his fellow citizens of Fayette county, as their representative in the General Assembly of Kentucky; and on the meeting of that body, he was chosen Speaker of the Assembly. During his speakership, he discharged all his official duties with great satisfaction to the body over which he presided. He felt it his duty, however, occasionally to leave the chair for the purpose of mingling in debate. His peculiar devotion to everything American, was evinced at this period, by the offering of a series of resolutions, in approval of the course pursued by Mr. Jefferson in resisting the British orders in Council, and pledging to his administration the support of Kentucky, in any measures calculated to oppose the exactions of Great Britain. It was about this time also, that Mr. Clay offered a resolution, recommending, for the sake of example, that each member of the Assembly should clothe himself in apparel of American manufacture, which was the occasion of a hostile meeting between him and Humphrey Marshall, who opposed the measure in a very sarcastic and imbittered style of argument, indulging in the grossest personalities toward the mover of it.

His subsequent duel with the distinguished, but eccentric, if not insane, John Randolph of Roanoke, taken in connection with his encounter with Mr. Marshall, would seem to indicate, on the part of Mr. Clay, a bloodthirsty and quarrelsome disposition. To those who knew the warmth and tenderness of his feelings, he needs no vindication from such a charge. It is proper to say however, that his participation in duels was in obedience to the insane requirements of the society in which he mingled, and always the subject of the deepest regret to himself. In a public address to his constituents, in 1825, he avowed his own views of dueling in these words. "I owe it to the community, to say, that whatever heretofore I may have done, or by inevitable circumstances might be forced to do, no man holds in deeper abhorrence than I do that pernicious

practice, condemned, as it must be, by the judgment and philosophy. to say nothing of the religion, of every thinking man; it is an affair of feeling, about which we cannot, although we should, reason. Its true correction will be found, when all shall unite, as all ought to unite, in its unqualified proscription." Mr. Clay could take to himself at least, the consolation that in neither of these duels did he have to repent too late, the death of a fellow being, although a personal enemy. In fact, according to the statement of Hon. Thos. H. Benton, who was an eyewitness of the meeting with Randolph, that conflict furnished an opportunity for the exhibition of some of the best qualities of Mr. Clay's heart; his chivalry and high-toned honor, never on any other occasion shone out with more brilliancy.

In the winter of 1809-10, Mr. Clay was again returned to the United States Senate, to fill up the unexpired term of the Hon. Buckner Thurston, one of the Senators from Kentucky, who had resigned. In 1811, preferring a seat in the House of Representatives, to the more elevated position of Senator, he became a candidate for the suffrages of his fellow citizens of the Fayette district, and being elected, took his seat in that body on the 4th of November, 1811, at a called Session assembled in view of the impending war with Great Britain. On the first ballot for Speaker, he was chosen by the handsome vote of 79 to 48. Now for the first time, Mr. Clay was brought prominently before the country, as a patriot and statesman, and more especially as the exponent of republican liberty, and the defender of popular rights against the aggressions of monarchy. He thought he saw, in the aggressions upon our commerce, and the impressment of our mariners by Great Britain, a desire to destroy the seeds of a naval force, which in thirty years would rival her on her own element; and he bent all his energies, both as a member and as Speaker, to the preparation of his country for a conflict, which should vindicate her injured rights, and secure a just regard for them in the future. He became at once the warm advocate of vigorous hostile measures, although he was in this compelled to encounter in fierce debate, some of the most powerful speakers of the day, among others, Josiah Quincy of Massachusetts, and John Randolph of Virginia. His spirit was one, however, not to be daunted. A member of Congress who was present at the debate, says: "On this occasion Mr. Clay was a flame of fire. He had now brought Congress to the verge, of what he

conceived to be, a war for liberty and honor; and, his voice rang through the Capitol like a trumpet tone sounding for the onset. On the subject of the policy of the embargo, his eloquence, like a Roman phalanx, bore down all opposition; and he put to shame those of his opponents who flouted the Government as being unprepared for war." Both in preparing the country for the war, and in vigorously prosecuting it to a successful termination, no man in the nation exerted a greater power and influence than Henry Clay. Mr. Madison, then President, impressed with the high qualities exhibited by Mr. Clay, and especially with his power of controlling and leading other men, and his remarkable promptness in finding expedients to meet all possible exigencies, had determined on sending in his name to the Senate for the office of Major-General. This purpose on the part of the President, was abandoned only for the reason, that Mr. Clay's services were considered indispensable to the nation in a civil capacity. After the close of the war, he was offered by Mr. Madison, the mission to Russia and a cabinet appointment; and by Mr. Monroe, after he became President, a Secretaryship at home, and a *carte blanche* of all the foreign missions; but entertaining a preference for his position in the House of Representatives, he thought proper to decline all executive appointments.

If we regard Mr. Clay's age, and comparative inexperience in public affairs at the beginning of the war of 1812, his civic achievements during that memorable period must be considered one of the greatest triumphs recorded in the annals of statesmanship. His efforts and influence in bringing that war to a conclusion, creditable to himself and his country, naturally suggested his name as one of the commissioners to arrange and conclude a treaty of peace, his colleagues in this mission being John Quincy Adams, Albert Gallatin, James A. Bayard and Jonathan Russell. Accordingly, on the 19th of January, 1814, he resigned the office of Speaker of the House of Representatives, which he had filled with such distinguished success for three years, receiving an almost unanimous vote of thanks for the impartiality and ability with which he had presided.

When the commissioners met at Ghent, Messrs. Adams and Gallatin, with the assent of Mr. Bayard, proposed to their co-commissioners to insert an article in the project of a treaty to be pre-

sented to the British commissioners, securing to American citizens the right of drying and curing fish on British soil, which they had enjoyed under Mr. Jay's treaty of 1794, and giving as an equivalent to Great Britain, the free navigation of the Mississippi River from its source to the ocean; a privilege which British subjects had formerly enjoyed under a clause of the Jay treaty. Mr. Clay, though anxious to obtain for his country all the privileges and rights which had been enjoyed prior to the war, was unwilling to purchase them "at the expense of putting a foreign and degrading mark upon the noblest of all our rivers," the "Father of Waters,"—and at once declared that he would affix his name to no treaty containing such a concession to Great Britain. His prompt and firm determination, at once brought over Mr. Bayard, leaving only Mr. Adams and Mr. Gallatin in favor of the proposition, and it was discarded.

Mr. Clay waited in Paris to hear of the ratification of the treaty of Ghent, and left for England in March, 1815. Here he was received by all parties with the most friendly and distinguished consideration. Being present at a dinner-party at Lord Castlereagh's, a few days after the battle of Waterloo, it is related of him, that he was asked by Lord Liverpool, whether, if Bonaparte should take refuge in America, he would not give us a great deal of trouble? "Not the least my Lord," replied Mr. Clay with his habitual promptitude, "We shall be very glad to receive him; we would treat him with all hospitality *and very soon make of him a good democrat.*" The reply produced a very hearty peal of laughter from the whole company.

Mr. Clay returned home from Ghent in September, 1815. In anticipation of his return he was re-elected a member of Congress from the district in which he lived, but some doubts arising as to the legality of the election, the forms of another election were gone through with the same result. He took his seat in the House of Representatives in December, 1815, and was again elected Speaker almost without opposition. It was during this session, that Mr. Clay announced his change of opinion in regard to the United States Bank. Having opposed the re-chartering of that institution; on constitutional grounds, in 1811, he now gave his support to a bill for re-chartering it, reported by John C. Calhoun. His change of opinion was doubtless entirely honest, founded on reasons which he satisfactorily stated at the time, and was therefore candidly

acknowledged. He was again elected member and Speaker of the Fifteenth Congress, commencing on the 20th of December, 1817. His speech in behalf of South American Independence, made in March, 1818, is one of his most memorable efforts. It was said of this speech, by one of his political opponents, that it was read at the head of South American Armies, to exalt their enthusiasm in battle, and quicken the consummation of their triumphs.

It was during this Congress that Mr. Clay made some of his most brilliant efforts in behalf of a general system of internal improvements, by the federal government. He succeeded in carrying through the House, by a vote of ninety to seventy-five, a resolution affirming the right of Congress to appropriate money for constructing military roads, post roads, and canals, against the combined opinions of Mr. Jefferson, Mr. Madison, and Mr. Monroe, then President. On the Cumberland road, one of the fruits of Mr. Clay's labors on this subject, stands a monument of stone, surmounted by the genius of liberty, with the words "HENRY CLAY," inscribed on it, intended to commemorate his services in the cause of internal improvements. During the second session of the Fifteenth Congress, resolutions being offered by committees of both the Senate and House of Representatives, condemning Gen. Jackson's conduct in the Seminole War, Mr. Clay felt it his duty to animadvert on Gen. Jackson's acts with some severity; in no malicious or unkind spirit, but simply as a part of his public duty. It made a breach between these two distinguished men, which was never afterward closed. There can be but little doubt, that throughout his whole life, after this, Gen. Jackson entertained toward Mr. Clay little other than feelings of the most rancorous hatred.

In the spring of 1820, the subject of the tariff came before Congress, and furnished the occasion for a most able and impressive speech from Mr. Clay, on what was, with him, a favorite measure; throughout his whole political life—the protection and encouragement of home industry. Mr. Clay is justly regarded as the father of what is known as the *American System*. It was a subject on which he never changed his opinion—the views of his old age being nothing more than the amplification of his youthful sentiments. Nearly all his distinguished contemporaries, and particularly Mr. Webster, and Mr. Calhoun, for local or temporary reasons, advocated different doctrines on this subject, at different periods of their

lives, but Mr. Clay was throughout his whole political life, the steady and unflinching, as well as able advocate of home manufactures. He himself no doubt considered his speeches on this subject, the chief corner-stone of his political fame. Whether posterity will agree in this opinion, seems at present a matter of some doubt. None, however, can have the hardihood to deny that intense love of his country, and a desire to see it free of foreign powers were at the bottom of all he said and did on this subject. It is beyond the limits of this sketch to even refer to the numerous speeches which he delivered on the tariff, in the House of Representatives, in the Senate, and before the people, much less to state his theory or opinions on this intricate branch of political science. It may be remarked, however, of his celebrated speech in support of the protective principle in the tariff act of 1824, that in the extent and variety of facts and illustrations, in force and fervor of diction, in profundity and force of reason, the annals of the American Congress furnish few equals to it. The measure was carried against the fiercest opposition, Mr. Webster being one of its most strenuous opponents. This act was passed by its friends, with the view of relieving the country from the gloomy and embarrassed condition in which it was then admitted to be by all parties. Eight years after its passage, Mr. Clay described its benign effects in the following flowing and graphic language:

"I have now to perform the more pleasing task of exhibiting an imperfect sketch of the existing state—of the unparalleled prosperity of the country. On a general survey we behold cultivation extending, the arts flourishing, the face of the country improved, our people fully and profitably employed, and the public countenances exhibiting tranquillity, contentment, and happiness. And if we descend into particulars, we have the agreeable contemplation of a people out of debt; land rising slowly in value, but in a secure and salutary degree; a ready, though not extravagant market for all the surplus productions of our industry; innumerable flocks and herds browsing and gamboling on ten thousand hills, and plains covered with rich and verdant grasses; our cities expanded, and whole villages springing up as it were by enchantment; our exports and imports increased and increasing; our tonnage, foreign and coast-wise, swelling and fully occupied; the rivers of our interior, animated by the thunder and lightning of countless steamboats; the

currency sound and abundant, the public debt of two wars nearly redeemed; and to crown all, the public treasury overflowing, embarrassing Congress, not to find subjects of taxation, but to select the objects which shall be relieved from the impost. If the term of seven years were to be selected, of the greatest prosperity, which this people have enjoyed since the establishment of their present constitution, it would be exactly that period of seven years which immediately followed the passage of the Tariff of 1824."

In the year 1820, Mr. Clay's pecuniary affairs having become much deranged and embarrassed through indorsements for a friend, he determined for a time to withdraw from public life, and devote his talents to the more lucrative business of practicing his profession. With this view, on the 28th of October, 1820, he wrote a letter to the Clerk of the House of Representatives, resigning the office of Speaker, though he still retained his seat as a member. He did not reach Washington until the middle of January, 1821. He found Congress in the midst of the fierce and threatening controversy which took place in regard to the admission of Missouri into the Union. The difficulty about her admission arising in a desire on the part of members from the Northern States, to perpetually exclude slavery from her soil, the discussion which ensued was characterized by all the fierceness and bitterness which usually attend sectional disputes. Mainly through the efforts and unflagging zeal of Henry Clay, this vexed question, which had disturbed Congress for more than two years, and seriously threatened the existence of the Federal Union, was quietly and peaceably settled.

During the years 1821, 1822, and 1823, Mr. Clay devoted himself almost exclusively to his profession, engaging in no public employment, except a mission to the State of Virginia, in conjunction with Chancellor Bibb, on behalf of the State of Kentucky, to settle certain difficult questions in regard to the titles of lands lying in Kentucky, which had been granted away by the State of Virginia. He returned to Congress in December, 1823, and was immediately re-elected Speaker of the House of Representatives, by a majority of more than three to one over the late incumbent, Mr. Barbour, of Virginia. On the 19th of January, 1824, a proposition having been submitted by Mr. Webster, to send a commissioner to Greece, Mr. Clay delivered a speech in behalf of that bleeding country, which will ever be read with interest, by the oppressed, throughout all lands, though it

proved insufficient for the purpose which it was meant to accomplish.

In the Presidential election of 1824, Mr. Clay was, for the first time, brought forward by his friends as a candidate for the office of President of the United States. He had first been nominated at a meeting of the members of the Kentucky Legislature, in 1822. It is well known that the people failed to make a choice, and in consequence, it became the duty of the House of Representatives, to select from the three candidates having the highest number of votes, who proved to be Gen. Jackson, Mr. Adams, and Mr. Crawford; Mr. Clay, though not returned as a candidate to the House, had, in his friends and partisans, the power of electing either one of the three whom he might choose. Having ascertained that Mr. Crawford's state of bodily health unfitted him for properly discharging the duties of President, he was compelled to choose between Mr. Adams and Gen. Jackson. For giving his vote to Mr. Adams, thereby determining the election in his favor, and afterward accepting the office of Secretary of State, under his administration, Mr. Clay had heaped upon him an amount of obloquy and detraction, unparalleled in political history. That there was no such corrupt bargain between Messrs. Adams and Clay, as was charged upon them, nor indeed any understanding whatever, was proved at the time by all the evidence which could be reasonably expected or desired, in reference to such a question. In fact, the whole accusation was utterly without foundation, except in the two single facts, of support on the one side, and the giving of office on the other. That Mr. Clay should have voted for Mr. Adams, was certainly not strange, in view of the opinions he had expressed of Gen. Jackson's character, as exhibited in the Seminole affair. It was still less strange, that Mr. Adams should have thought worthy of the highest position in his cabinet, a statesman, acknowledged on all sides, to be one of the ablest in the country; whose political views accorded to a great extent with his own, and who had been invited to occupy similar high posts under the administration of both his immediate predecessors. Yet the unsupported charge once made, found a ready acceptance among Mr. Clay's political enemies, and was, throughout his whole life afterward, used against him, with incalculable effect, by unscrupulous and brawling partisans, amongst those who were eager to believe any story to his

prejudice, or too ignorant to examine the testimony on which the accusation was made.

In March, 1825, notwithstanding the calumnies which had been so busily circulated by the thousand tongues of slander, Mr. Clay entered upon the discharge of his duties, as Secretary of State, under John Quincy Adams. For more than ten years, at each recurring Congress, he had been chosen to preside over the deliberations of the House of Representatives. He discharged the arduous duties of that office, with an impartiality, an ability, an efficiency, and a gracefulness, which won the admiration of both friends and opponents, and have never been surpassed, if equaled. Ardent and impulsive in debate, in the chair his deportment was marked by composure, lofty dignity, and the sternest impartiality. Mr. Clay was not less successful in discharging the duties of the new office to which he had been called. Although in a state of bodily health highly unfavorable to mental activity, during almost the whole time he was a member of Mr. Adams' cabinet, the treaties negotiated by him with Austria, Russia, Prussia, Colombia, Denmark, the Hanseatic Republic, and Central America; his letters of instructions to Mr. Gallatin, then Minister to Great Britain, to the Panama delegation and other public functionaries representing our country abroad, all attest the efficiency and ability with which his official duties were performed.

On the accession of Gen. Jackson to the Presidency, in March, 1829, Mr. Clay, amidst the congratulations of his friends, left Washington for his home at Ashland. He was welcomed on his return by his fellow-citizens of Kentucky, as a friend and faithful public servant. In the fall of 1831, he was again elected to the Senate of the United States, and on the 12th of December, 1831, was unanimously nominated as a candidate for the Presidency of the United States, by the National Republican Convention. His opponents for that office were Andrew Jackson, John Floyd, of Virginia, and William Wirt; the election resulted in his defeat, and in the re-election of Gen. Jackson. It was shortly after this election, that the celebrated nullification ordinance of South Carolina was passed, wherein she declared the revenue laws passed by Congress null and void, and of no obligation. The President had declared his determination to enforce the laws, at all hazards, and by public proclamation

warned the citizens of South Carolina against any resistance to them. The people of that State, on the other hand, had taken such a position before the world, that submission to the laws would have been disgraceful. Affairs grew daily more alarming, and civil war seemed near at hand. It was reserved for the great pacificator, Henry Clay, to pour oil on the troubled waves, by the introduction of his celebrated Compromise bill, which passed the House on the 26th of February, 1833, by a vote of 120 to 84, and the Senate, on the ensuing 1st of March, by a vote of 29 to 16, against the opposition of some of the ablest men in Congress, including Mr. Webster. There are but few persons, at all acquainted with the condition of things at that time, but will admit that we are indebted to the untiring zeal and self-sacrificing patriotism of Henry Clay, on that occasion, for the preservation of our government in safety and peace. On this, as on other like occasions, he threw aside all sectional and personal considerations, as unworthy to be weighed in the balance, against the preservation of the Union; and those who acted with him were willing to forget their party allegiance, to follow so noble a leader.

In 1833, commenced the war which Gen. Jackson waged against the Bank of the United States. His first effort was to cripple it by removing the public moneys from its vaults, and with this view he desired Congress to look to the safety of the deposits in that institution, and to grant to the Secretary of the Treasury fuller power over the public moneys. Congress having caused an investigation into the subject, declared their confidence in the safety of the deposits. Finding Congress disinclined to a crusade against the Bank, Gen. Jackson proposed to his Secretary of the Treasury, W. McLane, that he should act without the aid of Congress, in effecting the desired removal. This he declined to do, and he was accordingly promoted to the State Department, to make room for William J. Duane, of Philadelphia. Mr. Duane also proved refractory, and made known to the President that he considered the proposed removal illegal, and that he could not lend himself to its accomplishment. For this he was promptly dismissed by Gen. Jackson, and Roger B. Taney, the present Chief Justice, who was ready to carry out the wishes of the President, was invited to, and did take charge of, the keys of the public treasury. The immediate consequence was the transfer of the public treasure from the Bank of the United States to

the vaults of numerous state banks. Mr. Clay, feeling indignant at what he considered an unwarrantable assumption of authority on the part of the President, introduced resolutions into the Senate, declaring this exercise of power over the treasury, in violation of the constitution and laws, and dangerous to the liberties of the people. His speech in support of these resolutions, is considered one of the most masterly efforts of eloquence ever heard within the walls of the Capitol. The resolutions were adopted, by a vote of 26 to 20. At this time, Mr. Clay led the opposition to the administration. His speeches of this period are more than usually full of energy and fire. His attacks on the administration were so frequent and powerful, and directed with such a consummate skill, that it required all of Gen. Jackson's iron nerve to withstand them, even with the people at his back.

In his message of December, 1834, President Jackson informed Congress, that the King of France had refused to pay the indemnity of twenty-five millions of francs, in satisfaction of the claims of our citizens on that government, as provided by the Treaty of 1831, and recommended, that in case the French Chamber of Deputies should fail to make provision for the payment of the debt, at its approaching session, a law should be passed by Congress authorizing reprisals on French commerce. The subject was referred to the committee on foreign relations, of which Mr. Clay was then chairman. On the 6th of January, 1835, he read a report on that portion of the message, which, without sacrificing the rights, or lowering the dignity of his own country, effectually controverted the warlike proposals of the President, and relieved the commerce of the country from the disastrous consequences of a system of privateering. The report was drawn up with marked ability, and was unanimously accepted by the Senate, as a conclusive and satisfactory disposition of the whole subject. The Senate ordered twenty thousand copies of the report to be printed, which were widely scattered through the country. The mild and pacific, yet firm and dignified tone of the document soothed the wounded pride of the French King, and doubtless, brought about a pacific settlement of the question.

In the latter part of 1836, Mr. Clay was again elected by the Legislature of Kentucky, a member of the United States Senate, for the full term, commencing on the 4th of March, 1837. For the first time Mr. Clay found himself acting with a minority in the session.

of 1836-7. There was a majority for the administration in both Houses of Congress. It was, however, not one of the characteristics of the great Kentucky Statesman, to cringe or tremble before the power of majorities even when leagued with the potential arm of the Executive. Nothing daunted, he freely spoke his sentiments of all Gen. Jackson's proceedings, on every proper occasion. In the early part of 1837, he re-introduced the Land-bill, which four years before he had carried through Congress, but which Gen. Jackson smothered in his pocket, by retaining it until after the adjournment of Congress, providing, amongst other things, for a general distribution among all the states, of the proceeds of the sales of the public lands. Being opposed by the administration, of course it failed to pass. In January, 1837, on the occasion of the introduction by Mr. Benton, of the celebrated Expunging Resolution, he delivered a speech, which, for bitterness of sarcasm, fierceness of invective, and eloquent denunciation, has seldom been equaled. Regarding it as an attempt, by the President, to stifle the voice of the Senate, he could not do otherwise than denounce it. The following is a noted passage in that speech:

"What patriotic purpose is to be accomplished by this expunging resolution? Can you make that not to be which has been? Can you eradicate from memory and from history, the fact, that in March, 1834, a majority of the Senate of the United States passed a resolution which excites your enmity? Is it your vain and wicked object to arrogate to yourself the power of annihilating the past, which is denied to Omnipotence itself? Do you intend to thrust your hands into our hearts, and pluck out the deeply-rooted convictions which are there? Or is it your design, merely, to stigmatize us? You cannot stigmatize us:—

'Ne'er yet did base dishonor blur our name.'

Standing securely upon our conscious rectitude, and bearing aloft the shield of the constitution of our country, your puny efforts are impotent, and we defy all your power. Put the majority of 1834 in one scale, and that by which this expunging resolution is to be carried, in the other, and let truth and justice in Heaven above, and on earth below, and liberty and patriotism decide the preponderance.

"What patriotic purpose is to be accomplished by the expunging resolution? Is it to appease the wrath and heal the wounded pride of the Chief Magistrate? If he be really the hero that his friends

represent him, he must despise all mean condescension, all groveling sycophancy, all self-degradation, and self-abasement. He would reject with scorn and contempt, as unworthy of his fame, your black scratches, and your baby lines, in the fair records of his country."

The election of President coming on in 1836, Mr. Van Buren was nominated by the administration party, as the successor of Gen. Jackson. The votes of the opposition were divided amongst William H. Harrison, of Ohio; Hugh L. White, of Tennessee; Mr. Webster, and Mr. Mangum, of North Carolina. Mr. Clay declined to be the candidate of a distracted party, confessedly in a popular minority, even if united, so great had the power and influence of Gen. Jackson grown. Mr. Van Buren was elected by a majority of forty-eight electoral votes over all his competitors, and assumed the executive chair on the 4th of March, 1837. The disastrous condition to which the country had been reduced, by a system of reckless speculation, and the inflation of the currency, by irredeemable bank-issues, thrown out in hundreds of millions, made it necessary for the new President to convene Congress in extra session, on the first Monday of September, 1837. There was a decided administration majority in both Houses. The subject which principally engaged the attention of Congress during the extra session, was the Sub-treasury bill, recommended in the President's message to Congress, providing for the collection of all government dues in specie, and for a complete severance between the public moneys and all banking institutions. Mr. Clay felt it to be his duty to oppose the passage of this bill with all the power and energy of his mind, as fraught with untold mischief to the country. The measure passed the Senate by a small majority; but the President was unable to command the strength of his party in its favor, in the House, and it accordingly failed in that body, by a vote of 120 to 107. For the first time in a period of several years the administration was baffled. Congress adjourned on the 16th of October, having done but little, if anything, toward resuscitating the prostrate energies of the country, to re-assemble, in regular session, on the first Monday of the succeeding December.

Mr. Clay's remedy for the disordered condition of the currency was the establishment of a United States Bank, to be placed under such restrictions and limitations as experience had shown to be necessary. Accordingly, during the session of 1837-8, he submitted his plan for such an institution; surrounded by all the checks, and sub-

jected to all the conditions and restrictions which extreme prudence could either suggest or require. How suitable to the evil the remedy was, can only be conjectured, as the application of it was denied by the party then in power.

In the latter part of the year 1839, the period for another presidential election approaching, it was determined that a National Convention of the Whig party should be held at Harrisburg, Pa., for the purpose of selecting a suitable candidate for the highest office of the Government. The eyes of a large portion of the party were naturally turned toward Mr. Clay, the great statesman, and champion of Whig principles, who had the courage to breast the current of Jacksonism in its highest strength, and to wage a fierce and open warfare against all of its measures throughout three administrations. Mr. Clay was then, as always, decidedly as justly, the favorite candidate of a large majority of the Whig party, except for the belief that he was not "*available*" before the people. The convention assembled on the 4th of December, 1839. The members of the convention desiring to select a candidate who would certainly command a majority of the popular vote, rather than the best man, were divided in their opinion between Mr. Clay, Gen. William H. Harrison, and Gen. Winfield Scott, Mr. Clay's friends being in a decided plurality. The result was the nomination of Gen. Harrison, who, as is well known, was elected in the succeeding year, over Mr. Van Buren, by a triumphant majority. There can be no doubt at the present time, that if the convention could have been induced to believe that Mr. Clay could have been elected by a much less majority than Gen. Harrison was able to command, he would have been pre-eminently the choice of the convention. Having been twice before a candidate for the office, however, and having on each occasion failed of an election, he was doomed to be sacrificed on the altar of availability. His fitness for the office, was universally acknowledged; and if he had been nominated, it is almost, if not quite certain, that he would have been elected.

Mr. Clay, like all truly great men, had ambition; perhaps more than men of his eminent talents ordinarily have; but his ambition was chastened and tempered by patriotism, and the loftiest chivalry. He expressed no disappointment or chagrin at the vote of the convention; but willing to give up all personal claims and considerations, for what he considered the welfare of his country, he at once gave his hearty support to Gen. Harrison. He took an active part in the

exciting campaign of 1840, addressing the assembled masses on various occasions, with great power and eloquence.

The result of the presidential election of 1840, if not personally gratifying to Mr. Clay, was viewed by him with the greatest satisfaction, as a verdict of the people against those measures of the Van Buren administration, which he had opposed in Congress, with all the powers of his mind, and all the stirring eloquence of his tongue.

After Gen. Harrison's election, and before he started for Washington to take upon himself his official duties and cares, he did Mr. Clay the distinguished, though well-deserved honor of visiting him at his own home, and tendering him any office within the President's gift. Mr. Clay respectfully declined the offer, and also announced his intention to retire from the Senate, so soon as the objects for which he, and those who acted with him had been laboring, were placed in a train of accomplishment. Gen. Harrison was inaugurated on the 4th of March, 1841, and on the 18th of March issued his proclamation for an extra session of Congress, to convene on the last Monday of May, 1841. On the 4th of April, 1841, the venerable man who had so lately received the highest honor his country could confer upon him, was called from his earthly labors and honors, mourned and regretted by millions of freemen. Under the Constitution, John Tyler of Virginia, nominated by the same Whig National Convention at Harrisburg for the Vice-Presidency, and elected to that office by the same votes which elected the venerable Harrison, became legally President of the United States. Congress having assembled in extra session, according to the proclamation of the President, Mr. Clay at once proposed for the consideration of the Senate during the extra session, the following measures of public policy which had been virtually passed upon by the People in the late Presidential election, viz :

1. The repeal of the Sub-treasury Law.
2. The incorporation of a bank adapted to the wants of the people and the Government.
3. The provision of an adequate revenue, by the imposition of duties, and including authority to contract a temporary loan to cover the public debt, created by the last administration.
4. The prospective distribution of the proceeds of the public lands.
5. The passage of the necessary appropriation bills.
6. Some modifications in the Banking System of the District of Columbia, for the benefit of the people of the district.

As chairman of a select committee, raised on his own motion, Mr. Clay made an able report on the subject of a National Bank, a bill to establish which, was shortly after passed by Congress. Greatly to the astonishment of Mr. Clay, and the whole country, John Tyler—whether from an honest change of sentiments, or treachery to the party which elected him, it is not necessary here to decide—vetoed the bill. Mr. Clay was thus baffled in carrying into effect what he considered the great measure of relief for the country; and from that time forth Mr. Tyler ceased to be regarded as a member of the party whose suffrages had placed him in office. Mr. Clay made two memorable speeches in the Senate on the occasion of this veto, one in deprecation of the veto, and the defection of Mr. Tyler; and the other—one of his most eloquent and effective efforts—in reply to a speech of the Hon. William C. Rives, defending the course of the President. A second bank bill was prepared, to meet what was understood to be the peculiar views of the President, as set forth in his veto message, and as expressed in conversations held with prominent Members of Congress, and passed both Houses, so anxious were the Whig party to redeem their pledges, made during the presidential canvass; but the veto was again most unjustly interposed.

The Whig party in Congress were so crippled by the defection of the President, and so baffled in carrying through their measures, that the fruits of their victory over Mr. Van Buren, were almost entirely lost. Through the unremitted exertions of Mr. Clay, however, a new tariff bill, a bankrupt bill, a bill distributing the proceeds of the public lands, and a bill repealing the Sub-treasury Act, were severally passed at the extra session. Mr. Clay continued to take an active and leading part in all matters that came before the Senate, during the winter of 1841–2, although it had been his intention to resign in November 1841, immediately after the close of the extra session. The untoward events of the death of the venerated Harrison, and the accession and defection of Mr. Tyler, compelled him, in duty to the country and his party, to remain a member of the Senate until the 31st of March, 1842, when, in an address of great pathos, he bade farewell to the body of which he had been so long an ornament, and to the theater of his noblest and most memorable actions. The scene of his farewell, then supposed by all to be final, is described as one of the most affecting incidents which ever occurred in the halls of Congress.

From this time until the spring of 1844, Mr. Clay took no part in public affairs, except as a private citizen. He spent much of the time in traveling through different parts of the country, in some cases for the purpose of attending to private business, but generally for health, and for the purpose of meeting with his fellow citizens of the different states, who universally welcomed him with the warmest and most devoted friendship, whithersoever he went. Amid the prairies of the ever blooming West, or the savannas of the sunny South; amid the manufacturing towns, and the quiet villages of the New Englanders, or the busy marts of trade and commerce, he was equally at home. Few men, whether soldiers or civilians, have ever drawn around them the respect and affections of a whole nation so completely as did Mr. Clay.

The Whig Convention which assembled at Baltimore on the first of May, 1844, by acclamation, and in obedience to the universal wish of the party, again nominated Mr. Clay for the Presidency. On the ticket with him as a candidate for the Vice-Presidency, was Theodore Frelinghuysen, of New Jersey. Mr. Clay was at Washington City at the time the convention met, resting from the fatigue of a long journey, which he had just made through the southern States. Immediately on the announcement of his nomination, he determined, from motives of delicacy, not to attend any public meetings of his fellow citizens, of a political character; but to return home at once, and there quietly await the verdict of the people on the nominations. One of the principal questions involved in the Presidential canvass of 1844, was the annexation of Texas to the United States. Mr. Clay believing that annexation would inevitably lead to war with Mexico, a sister Republic—and not because he did not desire to see Texas incorporated into the Union—opposed it under the existing circumstances, expressing at the same time the conviction that at no distant day, circumstances would be so far changed, as to allow the peaceable execution of the project. Mr. Van Buren, then the most prominent candidate for the nomination of the Democratic party, had publicly expressed similar views with those of Mr. Clay. To the astonishment of everybody, the Democratic National Convention which assembled at Baltimore, threw Mr. Van Buren overboard, and nominated James K. Polk, an avowed advocate of the annexation scheme. The canvass of 1844, was conducted, on the part of the Democratic party, in a spirit of bitterness and animosity toward Mr. Clay, which has scarcely

a parallel in the political annals of any country. The story of "bargain, intrigue, and corruption," which Mr. Webster, in a speech in the Senate, described as "the very cast-off slough of a polluted and shameless press, lying in the sewer lifeless and despised," was revived in all its vileness and falsehood, and industriously circulated as truth, by hundreds of reckless political speculators, who had no reputation to lose by the publication of such calumnies, who were encouraged in the work by men of respectability and standing in the party. A more disgraceful warfare was never waged. Even Mr. Clay's personal and private character was assailed in a manner shocking to all sense of propriety or decency.

It is out of place here to go into an investigation of the causes which brought about Mr. Clay's defeat, and the election of Mr. Polk, in every respect his inferior, to the Chief Magistracy. It is proper to state, however, that the whole country was taken by surprise at the result, and that Mr. Clay's friends then believed, and still believe, that a large majority of the legal voters of the country, cast their suffrages for him in that election. It is doubtless the fact, as was quite conclusively shown at the time, that immense numbers of fraudulent votes were cast for Mr. Polk in the States of Louisiana, Pennsylvania, New York, and Georgia, all of which went for Mr. Polk by meager majorities. The vote of New York alone would have been sufficient to have secured Mr. Clay's election. The vote of the electoral college stood, for Polk 176, for Clay, 105. The popular vote was 1,336,196 for Polk, and 1,297,902 for Clay. The veteran statesman was thus denied that crowning honor which seemed to be due, as well to his eminent public services, as to his unsurpassed administrative ability, but which was not necessary to complete the full measure of his fame, and was not therefore a subject of any great personal regret with himself. The fate of Mr. Clay, and of his two eminent cotemporaries, Webster and Calhoun, would appear to indicate that the time has gone by when we are to expect statesmen of first rate ability, to be called to the Presidential Chair.

The result of the election having been ascertained, complimentary addresses, letters of sympathy, and expressions of attachment poured in upon the disappointed candidate, now in private life, from all quarters of the country. "I have been," writes Mr. Clay, on the 25th of April, 1845, "in spite of unexpected discomfitures, the object of honors and of compliments, usually rendered only to those who are successful and victorious in the great enterprises of mankind.

"To say nothing of other demonstrations, the addresses and communications which I have received since the election from every quarter, from collective bodies and individuals, and from both sexes, conveying sentiments and feelings of the warmest regard, and strongest friendship, and deploring the issue of the election, would fill a volume. I have been quite as much, if not more affected by them, than I was by any disappointment of personal interest of my own in the event of the contest." Though it was Mr. Clay's fortune to taste the bitterness of personal enmity, abuse and detraction in all its forms and varieties, no man ever had more warm-hearted or devoted friends, who were waiting to prove the sincerity of their professions by their acts. His residence at Ashland, was full of memorials of respect, affection, and gratitude, sent to him from different parts of the country, by persons of both sexes, and of all classes and conditions of society. In the spring of 1845, the fact of his being heavily embarrassed by indorsements for one of his family connections, having casually come to the knowledge of some of his friends in the eastern States, without parade or ostentation, they raised among them the sum of fifty thousand dollars, and paid off his notes without his knowledge of the matter, until he received the canceled obligations. The fact that no single contributor's name was made known, adds much to the beauty of the gift, as a specimen of pure and disinterested friendship. It was no doubt considered by the contributors themselves, as in some sense a debt due from them as the recipients of the benefits of his life-long labors in behalf of the manufacturing and domestic interests of his country.

Mr. Clay passed the two years succeeding the Presidential election of 1844, in the quiet pursuits of private life. He spent the succeeding winters of 1845-6, and 1846-7 in New Orleans. He declined the pressing invitations of his fellow citizens of Kentucky to return to the Senate, although he continued at all times to feel a deep interest in the public affairs of the country. In the spring of 1847, being in New Orleans, he was invited to attend and address a meeting on behalf of famishing Ireland. His speech on that occasion was a thrilling appeal to the humanity of his audience, which deeply excited the sympathy of those who listened to him, and was doubtless instrumental in adding to the freight of charity which went over to appease the hunger of starving millions.

In accordance with the predictions of Mr. Clay, the annexation of

Texas, jointly accomplished by the administrations of John Tyler and James K. Polk, resulted in a war with Mexico. However beneficial to the country may prove the train of consequences resulting from the victories achieved by the arms of the United States in that war, the war itself, waged against a weak and distracted sister Republic on American soil, can never be viewed with complacency or satisfaction by the citizens of this country. Although a private citizen, without any official responsibility in regard to the events of the war, Mr. Clay had too long been a prominent actor in public affairs to be a silent spectator. On the 13th of November, 1847, a large concourse of people from the different States assembled at Lexington Ky., to hear the opinions of the retired sage of Ashland, which he had intimated his intention to express, in regard to the momentous questions arising out of the Mexican War, and consequent upon the victories then already achieved by our gallant troops. The Victory of Buena Vista had then been won by the lamented Taylor and his brave troops. The fortress of San Juan D'Ulloa, had surrendered to General Scott, and that series of military operations, unparalleled in military history, had been accomplished, which left our army in possession of "the halls of the Montezumas." It was yet unknown, whether the war was ended; whether that indomitable perseverance and obstinacy of the Spanish race, which resisted the Moors for eight hundred years, was yet a living quality of their descendants in Mexico. It was also a question, what indemnification should be asked by our government; whether the favorite doctrine of "annexation," should be applied to settle the matter, and if so, whether the territory added, should be slave or free. On all these questions, as well as on the origin of the war itself, Mr. Clay expressed his opinions with great candor and wisdom, and was listened to with great attention and deference, as well as pleasure, for about three hours, by the thousands assembled around the erect form of the venerable statesman. The following beautiful passage occurs in his exordium, and shows the object of his speech.

"The day is dark and gloomy, unsettled and uncertain, like the condition of our country in regard to the unnatural war with Mexico. The public mind is agitated and anxious, and is filled with serious apprehensions as to its indefinite continuance, and especially as to the consequences which its termination may bring forth, menacing the harmony, if not the existence of our Union. It is under these circumstances I present myself before you. No ordinary occasion would

have drawn me from the retirement in which I live; but while a single pulsation of the human heart remains, it should if necessary, be dedicated to the service of one's country. And I have hoped that, although I am a private and humble citizen, an expression of the views and opinions I entertain, might form some little addition to the general stock of information, and afford a small assistance in delivering our country from the perils and dangers which surround it.

"I have come here with no purpose to attempt to make a fine speech, or any ambitious rhetorical display. I have brought with me no rhetorical bouquets to throw into this assemblage. In the circle of the year autumn has come, and the season of flowers has passed away. In the progress of years my springtime has gone by, and I too am in the autumn of life, and feel the frost of age. My desire and aim, are to address you earnestly, calmly, seriously, and plainly, upon the grave and momentous subjects which have brought us together; and I am most solicitous that not a solitary word may fall from me, offensive to any party or person, in the whole extent of the Union."

He expressed his decided opposition to the annexation of Mexico to the United States; or if any territory should be annexed, to the extension of negro slavery within it. He expressed a wish that our Government should exercise toward Mexico the virtues of moderation, and magnanimity, as it could well afford to do, after the series of splendid and brilliant victories achieved by our brave armies and their gallant commanders.

As the year 1848 approached, it brought with it the quadrennial contest for the Presidency, with its exciting train of conventions, mass meetings, caucuses, etc. Mr. Clay was again talked of for that office. Notwithstanding former defeats, thousands of his friends throughout the country, were exceedingly anxious that his name should be presented once more, and for the last time, for the suffrages of his fellow-citizens of the United States. The Whig National Convention assembled at Philadelphia, in June, 1848, for the purpose of naming its standard-bearer in the campaign. The choice lay between Mr. Clay and Gen. Taylor. The former, for years, the acknowledged champion and master spirit of the Whig party, a ripe and matured statesman, of more than forty years' experience as a leader in the public affairs of the nation; the latter, a man of strong common sense, with an irreproachable character for honesty and fidelity, with the laurels of his Mexican victories fresh upon his brow, but utterly destitute of

political experience, little versed in public affairs, and scarcely known as a member of the Whig party. If the convention had been called together to select a president, rather than a candidate, it is almost certain that there would have been no dissenting voice to the selection of Henry Clay, among the two hundred and eighty votes of that convention; but it was the generally received opinion of a majority of that convention, that success would have been certain with the nomination of Gen. Taylor, and much more than problematical with that of Mr. Clay. Considerations of this kind prevailed, to secure a large majority of the convention for Gen. Taylor, and in the succeeding November, he was duly elected President of the United States, over Gen. Lewis Cass, the Democratic candidate. Mr. Clay took no part in the canvass, and was reproached for his lukewarmness by many of his former political friends, who had forsaken him to support General Taylor. If under the circumstance, he could have acted otherwise, he would have been something more than human; for the nomination of Gen. Taylor, had been made on grounds expressly and peculiarly derogatory to Mr. Clay's standing in the party, and grating to his feelings—on the ground namely, that long and efficient service in the foremost ranks of the party, and a towering ascendancy in the direction of its efforts, served rather to unfit than to qualify one for the bearing of its standard, and the reception of its highest honors. In consequence of the refusal of Gen. Taylor to make an open and explicit declaration of his adherence to Whig principles, and of his willingness to accept a nomination from the various political factions of the country, an effort was made in some of the northern States, more particularly in New York, to repudiate Gen. Taylor, and substitute the name of Mr. Clay, as the candidate of the party. On hearing of it, Mr. Clay promptly and decidedly forbade such a use of his name, as inconsistent with the obligation he impliedly assumed, in allowing his name to go before the nominating convention, and calculated to distract the Whig party.

The acquisition of territory from Mexico, in the treaty of Guadalupe Hidalgo, imposed upon Congress the duty of settling some of the most difficult questions which have ever come before that body, owing their difficulty of solution principally to the fact, that the framers of the Federal Constitution, evidently never contemplated any enlargement of the territorial limits of the United States. Chief among these, was the question—exciting the bitterest sectional jealousies

whenever discussed—whether slavery should be tolerated in the new territory. It was a time when the interests of the country peculiarly demanded the matured wisdom and experience of the oldest and ablest statesmen. Under these circumstances, Mr. Clay, already beyond the allotted limit of human life, was induced to resume his seat in the Senate, to which he was unanimously re-elected by the Legislature of Kentucky, in December, 1848, for a full term of six years from the 4th of March, 1849. He did not conceive it necessary that he should attend the special session called by Gen. Taylor on the 5th of March, 1849, and deferred taking his seat until the commencement of the regular session on the 3d of December following. Although bending under the weight of years, and evidently near his latter end, for the sake of his country, he quit the retirement so grateful to his exhausted and feeble body, and made his re-appearance in the Senate at the opening of Congress, ready to take the leading part in the business and debates of that body.

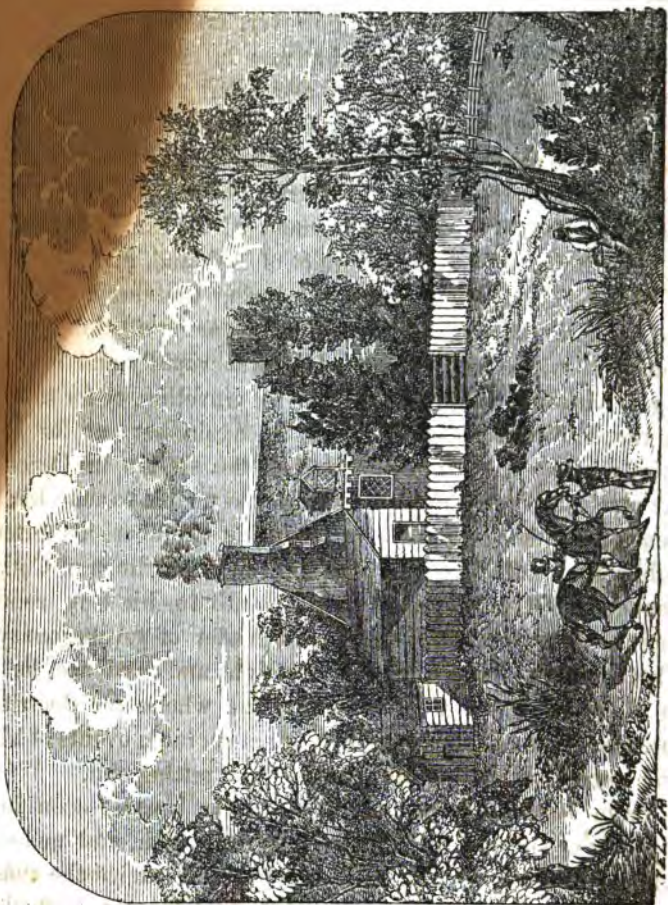
Of his public services during that session, it is impossible to speak too highly. If all else he has done and said, should be forever blotted out and forgotten, enough could be found in the legislative history of the year 1850, to immortalize his name, at least among American citizens. He was looked up to by men of all parties, as the great leader, who was to point the way of deliverance from the labyrinth of difficulties in which Congress found itself, and he nobly discharged the duty which was assigned to him. On the 29th of January, 1850, he submitted for the consideration of the Senate, a series of resolutions embracing and adjusting all the questions arising out of the acquisition of the Mexican territory, accompanied by a speech of unusual terseness and power, elucidating and enforcing them. They were vigorously opposed by both the extremists of the North, and the ultra pro-slavery men of the South, and required for their passage, the exertion of all the power and sagacity of the mover of them. Mr. Clay bent all his energy to the task; and as if conscious that it was the closing scene of his life, he rose to the full magnitude of his greatness. It was a capital worthy of the lofty and magnificent column of achievements which it crowned. The resolutions, as proposed by him, although not enacted in laws in the precise form which he indicated, were substantially the basis of the settlement of the vexed and complicated questions to which they refer. His labors throughout the session, were unremitted and of the severest character; but warmed

up to the most enthusiastic pitch of patriotism by threatened danger to the Union, for he was equal to all the requirements of the occasion. His labors at that session are too fresh in the recollections of the whole country, to require repetition here.

The second session of the Thirty-first Congress, commenced on the 2d day of December, 1850. Mr. Clay, much exhausted by his incessant labor at the previous session, and feeling sensibly the effects of his advanced age, did not, however, make his appearance in the Senate, until the sixteenth of that month. He was growing more and more feeble, as each day passed away, but still continued to take an interest and an active part, in all the proceedings of Congress. His principal efforts at this session were directed to the tariff, and the removal of obstructions from our rivers and harbors. The state of parties, however, forbade the accomplishment of his earnest wishes.

Mr. Clay again sought the quiet of Ashland, after the adjournment of Congress, and remained there during the summer, surrounded by the domestic comforts of home, and preparing all things for that great change to which he felt assured he was rapidly and inevitably tending.—Although in no fit condition for traveling, or for taking any part in the deliberations of Congress, he again set out for Washington, shortly before the commencement of the session in December, 1851. He reached Washington safely, but was unable to take his seat in the Senate. Although unable to leave his chamber, his interest in the public affairs of his country, and in the proceedings of Congress, were unabated. His interview with Kossuth in his sick room, and his short address to that distinguished leader of revolutionary Hungary, wherein, with so much wisdom, foresight and prudence, he expounded to him and to the whole country, the wholesome doctrine of non-intervention in European affairs, are memorable events of his last days, and come to us as the bright rays of the setting sun.

From being confined to his room, he became soon incapable of walking or sitting; and finally that deep, rich, and melodious voice, which in times passed, thrilled senates, and carried the masses following, entranced wheresoever it listed, was forever hushed to mortal ears. Still the vigor of his constitution held out, though the powers of motion and speech were gone, until the 27th day of June, 1852, when, at seventeen minutes past eleven o'clock in the morning, that mighty spirit left its crumbling and decayed earthly tenement, and winged its way from time to eternity.



BIRTHPLACE OF HENRY CLAY.

LIFE AND SPEECHES

OF

HENRY CLAY.

SPEECH ON RETURNING TO KENTUCKY IN 1842.

[The occasion of this speech was a barbecue given to Mr. Clay, by his personal and political friends, on the 9th of June, 1842, near Lexington, Ky. He had shortly before resigned his seat in the U. S. Senate, with the intention of retiring, in his advanced age, to the peaceful shades of his beloved Ashland. It is placed first in order, because it contains, in his own words, a short history of his Life.]

MR. PRESIDENT, LADIES AND GENTLEMEN :

It was given to our countryman, Franklin, to bring down the lightning from heaven. To enable me to be heard by this immense multitude, I should have to invoke to my aid, and to throw into my voice, its loudest thunders. As I cannot do that, I hope I shall be excused for such a use of my lungs as is practicable, and not inconsistent with the preservation of my health. And I feel that it is our first duty to express our obligations to a kind and bountiful Providence, for the copious and genial showers with which he has just blessed our land—a refreshment of which it stood much in need. For one, I offer to Him my humble and dutiful thanks. The inconvenience to us, on this festive occasion, is very slight, while the sum of good which these timely rains will produce, is very great and encouraging.

Fellow citizens, I find myself now in a situation somewhat like one in which I was placed a few years ago, when traveling through the State of Indiana, from which my friend (Mr. Rariden) near me comes. I stopped at a village containing some four or five hundred inhabitants, and I had scarcely alighted before I found myself surrounded in the bar-room, by every adult male resident of the place. After awhile, I observed a group consulting together in one corner of the room, and shortly after, I was diffidently approached by one of them, a tall, lank, lean, but sedate and sober looking person, with a long face, and high cheek bones, who, addressing me, said he was commissioned by his neighbors, to request that I would say a few words to them. Why my good friend, said I, I should be very happy to do anything gratifying to yourself and your neighbors, but I am very much fatigued, and hungry, and thirsty, and I do not think the occasion is exactly suitable for a

speech, and I wish you would excuse me to your friends. Well, says he, Mr Clay, I confess I thought so myself, especially as we have no wine to offer you to drink?

Now, if the worthy citizen of Indiana was right in supposing that a glass of wine was a necessary preliminary, and a precedent condition to the delivery of a speech, you have no just right to expect one from me at this time; for during the sumptuous repast from which we have just risen, you offered me nothing to drink but cold water — excellent water, it is true, from the classic fountain of our lamented friend, Mr. Maxwell, which has so often regaled us on celebrations of our great anniversary.

I protest against any inference of my being inimical to the Temperance cause. On the contrary, I think it an admirable cause, that has done great good, and will continue to do good, as long as legal coercion is not employed, and it rests exclusively upon persuasion, and its own intrinsic merits.

I have a great and growing repugnance to speaking in the open air to a large assemblage. But while the faculty of speech remains to me, I can never feel that repugnance, never feel other than grateful sensations, in making my acknowledgments under such circumstances as those which have brought us together. Not that I am so presumptuous as to believe that I have been the occasion solely of collecting this vast multitude. Among the inducements, I cannot help thinking that the fat white virgin Durham heifer of my friend, Mr. Berryman, that cost \$600, which has been just served up, and the other good things which have been so liberally spread before us, exerted some influence in swelling this unprecedentedly large meeting. [Great laughter.]

I cannot but feel, Mr. President, in offering my respectful acknowledgments for the honor done me, in the eloquent address which you have just delivered, and in the sentiment with which you concluded it, that your warm partiality, and the fervent friendship which has so long existed between us, and the kindness of my neighbors and friends around me, have prompted an exaggerated description, in too glowing colors, of my public services, and my poor abilities.

I seize the opportunity to present my heartfelt thanks to the whole people of Kentucky, for all the high honors and distinguished favors which I have received, during a long residence with them, at their hands; for the liberal patronage which I received from them in my professional pursuit; for the eminent places in which they have put me, or enabled me to reach; for the generous and unbounded confidence which they have bestowed upon me, at all times; for the gallant and unswerving confidence, fidelity, and attachment with which they stood by me throughout all the trials and vicissitudes of an eventful and arduous life; and, above all, for the scornful indignation with which they repelled an infamous calumny directed against my name and fame at a momentous period of my public career. In recalling to our memory the circumstances of that period, one cannot but be filled with astonishment at the indefatigability with which the calumny was propagated, and the zealous partisan use to which it was applied, not only without evidence, but in the face

of a full and complete refutation. Under whatever deception, delusion, or ignorance it was received elsewhere, with you, my friends and neighbors, and with the good people of Kentucky, it received no countenance; but in proportion to the venom and the malevolence of its circulation, was the vigor and the magnanimity with which I was generously supported. Upheld by a consciousness of the injustice of the charge, I should have borne myself with becoming fortitude, if I had been abandoned by you, as I was by so large a portion of my countrymen; but to have been sustained and vindicated as I was, by the people of my own State, by you who knew me best, and whom I had so many reasons to love and esteem, greatly cheered and encouraged me in my onward progress. Eternal gratitude and thanks are due from me.

I thank you, my friends and fellow citizens, for your distinguished and enthusiastic reception of me this day, and for the excellence and abundance of the barbecue that has been provided for our entertainment. And I thank, from the bottom of my heart, my fair countrywomen for honoring and gracing and adding brilliancy to this occasion, by their numerous attendance. If the delicacy and refinement of their sex will not allow them to mix in the rougher scenes of human life, we may be sure that whenever, by their presence, their smiles and approbation are bestowed, it is no ordinary occurrence. That presence is always an absolute guarantee of order, decorum, and respect. I take the greatest pleasure in bearing testimony to their value and their virtue. I have ever found in them true and steadfast friends, generously sympathizing in distress, and, by their courageous fortitude, in bearing it themselves, encouraging us to imitate their example. And we all know and remember how, as in 1840, they can powerfully aid a great and good cause, without any departure from the propriety or dignity of their sex. m

In looking back upon my origin and progress through life, I have great reason to be thankful. My father died in 1781, leaving me an infant of too tender years to retain any recollection of his smiles or endearments. My surviving parent removed to this State in 1792, leaving me, a boy of fifteen years of age, in the office of the High Court of Chancery, in the city of Richmond, without guardian, without pecuniary means of support, to steer my course as I might or could. A neglected education was improved by my own irregular exertions, without the benefit of systematic instruction. I studied law principally in the office of a lamented friend, the late Governor Brooke, then Attorney-General of Virginia, and also under the auspices of the lamented Chancellor Wythe, for whom I had acted as an amanuensis. I obtained a license to practice the profession from the Judges of the Court of Appeals of Virginia, and established myself in Lexington in 1797, without patrons, without the favor or countenance of the great or opulent, without the means of paying my weekly board, and in the midst of a bar uncommonly distinguished by eminent members. I remember how comfortable I thought I should be, if I could make £100, Virginia money, per year, and with what delight I received the first fifteen shilling fee. My hopes were more than realized. I immediately rushed into a successful and lucrative practice.

In 1803 or '4, when I was absent from the county of Fayette, at the Olympian Springs, without any knowledge or previous consent, I was brought forward as a candidate, and elected to the General Assembly of this State. I served in that body several years, and was then transferred to the Senate, and afterward to the House of Representatives of the United States. I will not now dwell on the subsequent events of my political life, or enumerate the offices which I have filled. During my public career, I have had bitter, implacable, reckless enemies. But if I have been the object of misrepresentation and unmerited calumny, no man has been beloved or honored by more devoted, faithful, and enthusiastic friends. I have no reproaches—none—to make toward my country, which has distinguished and elevated me far beyond what I had any right to expect. I forgive my enemies, and hope they may live to obtain the forgiveness of their own hearts.

It would neither be fitting, nor is it my purpose, to pass judgment on all the acts of my public life; but I hope I shall be excused for one or two observations, which the occasion appears to me to authorize. I never but once changed my opinion on any great measure of national policy, or on any great principle of construction of the National Constitution. In early life, on deliberate consideration, I adopted the principles of interpreting the Federal Constitution, which has been so ably developed and enforced by Mr. Madison, in his memorable report to the Virginia Legislature, and to them, as I understood them, I have constantly adhered. Upon the question coming up in the Senate of the United States, to re-charter the first Bank of the United States, thirty years ago, I opposed the re-charter, upon convictions which I honestly entertained. The experience of the War, which shortly followed, the condition into which the currency of the country was thrown, without a Bank, and, I may add, later and more disastrous experience, convinced me I was wrong. I publicly stated to my constituents, in a speech in Lexington (that which I had made in the House of Representatives of the United States not having been reported), my reasons for that change, and they are preserved in the archives of the country. I appeal to that record; and I am willing to be judged now and hereafter by their validity.

I do not advert to the fact of this solitary instance of change of opinion, as implying any personal merit, but because it is a fact. I will, however, say that I think it very perilous to the utility of any public man to make frequent changes of opinion, or any change but upon grounds so sufficient and palpable, that the public can clearly see and approve them. If we could look through a window into the human breast, and there discover the causes which led to changes of opinion, they might be made without hazard. But as it is impossible to penetrate the human heart, and distinguish between the sinister and honest motives which prompt it, any public man that changes his opinion, once deliberately formed and promulgated, under other circumstances than those which I have stated, draws around him distrust, impairs the public confidence, and lessens his capacity to serve his country.

I will take this occasion now to say, that I am, and long have been satisfied, that it would have been wiser and more politic in me to have declined accepting the office of Secretary of State in 1825. Not that my motives were not

as pure and patriotic as ever carried any man into public office. Not that the calumny which was applied to the fact was not as gross and as unfounded as any that was ever propagated. [Here somebody cried out that Mr. Carter Beverly, who had been made the organ of announcing it, had recently borne testimony to its being unfounded. Mr. Clay said it was true that he had voluntarily borne such testimony. But, with great earnestness and emphasis, Mr. Clay said, I want no testimony—here—here—HERE, repeatedly touching his heart, amidst tremendous cheers, here is the best of all witnesses of my innocence.] Not that valued friends, and highly esteemed opponents, did not unite in urging my acceptance of the office. Not that the administration of Mr. Adams will not, I sincerely believe, advantageously compare with that of any of his predecessors, in economy, purity, prudence, and wisdom. Not that Mr. Adams was himself wanting in any of those high qualifications and upright and patriotic intentions which were suited to the office. Of that extraordinary man, of rare and varied attainments, whatever diversity of opinion may exist as to his recent course in the House of Representatives (and candor obliges me to say that there are some things in it which I deeply regret), it is with no less truth than pleasure, I declare, that during the whole period of his administration, annoyed, assailed, and assaulted as it was, no man could have shown a more devoted attachment to the Union, and all its great interests; a more ardent desire faithfully to discharge his whole duty, or brought to his aid more useful experience and knowledge than he did. I never transacted business with any man in my life, with more ease, satisfaction, and advantage, than I did with that most able and indefatigable gentleman as President of the United States. And I will add, that more harmony never prevailed in any Cabinet than in his.

But my error in accepting the office arose out of my underrating the power of detraction and the force of ignorance, and abiding, with too sure a confidence, in the conscious integrity and uprightness of my own motives. Of that ignorance, I had a remarkable and laughable example on an occasion which I will relate. I was traveling, in 1828, through, I believe it was, Spottsylvania county in Virginia, on my return to Washington, in company with some young friends. We halted at night at a tavern, kept by an aged gentleman, who I quickly perceived, from the disorder and confusion which reigned, had not the happiness to have a wife. After a hurried and bad supper, the old gentleman sat down by me, and without hearing my name, but understanding that I was from Kentucky, remarked that he had four sons in that State, and that he was very sorry they were divided in politics, two being for Adams and two for Jackson; he wished they were all for Jackson. Why? I asked him. Because, he said, that fellow Clay and Adams had cheated Jackson out of the Presidency. Have you ever seen any evidence, my old friend, said I, of that? No, he replied, none, and he wanted to see none. But, I observed, looking him directly and steadily in the face, suppose Mr. Clay were to come here and assure you, upon his honor, that it was all a vile calumny, and not a word of truth in it, would you believe him? No, replied the old gentleman, promptly and emphatically. I said to him, in conclusion, will you be good enough to show me to bed, and bid him

good night. The next morning, having in the interval learned my name, he came to me full of apologies, but I at once put him at his ease, by assuring him that I did not feel, in the slightest degree, hurt or offended with him.

Mr. President, I have been accused of ambition, often accused of ambition. I believe, however, that my accusers will be generally found to be political opponents, or the friends of aspirants in whose way I was supposed to stand, and it was thought, therefore, necessary to shove me aside. I defy my enemies to point out any act or instance of my life, in which I have sought the attainment of office by dishonorable or unworthy means. Did I display inordinate ambition, when, under the administration of Mr. Madison, I declined a Foreign mission of the first grade, and an Executive Department, both of which he successively kindly tendered to me? When, under that of his successor, Mr. Monroe, I was first importuned (as no one knows better than that sterling old patriot, Jonathan Roberts, now threatened, as the papers tell us, with expulsion from an office which was never filled with more honesty and uprightness, because he declines to be a servile instrument), to accept a Secretaryship, and was afterward offered a *carte blanche* of all the Foreign missions? At the epoch of the election of 1825, I believe no one doubted at Washington, that, if I had felt it my duty to vote for General Jackson, he would have invited me to take charge of a Department. And such, undoubtedly, Mr. Crawford would have done, if he had been elected. When the Harrisburg Convention assembled, the general expectation was that the nomination would be given to me. It was given to the lamented Harrison. Did I exhibit extraordinary ambition, when, cheerfully acquiescing, I threw myself into the canvass and made every exertion in my power to insure its success? Was it evidence of unchastened ambition in me to resign, as I recently did, my seat in the Senate—to resign the Dictatorship, with which my enemies had so kindly invested me, and come home to the quiet walks of private life?

But I am ambitious because some of my countrymen have seen fit to associate my name with the succession for the Presidential office. Do those who prefer the charge know what I have done, or not done, in connection with that object? Have they given themselves the trouble to inquire at all into any agency of mine in respect to it? I believe not. It is a subject which I approach with all the delicacy which belongs to it, and with a due regard to the dignity of the exalted station; but on which I shall, at the same time, speak to you, my friends and neighbors, without reserve, and with the utmost candor.

I have prompted none of those movements among the people, of which we have seen accounts. As far as I am, concerned, they are altogether spontaneous, and not only without concert with me, but most generally without any sort of previous knowledge on my part. That I am thankful and grateful—profoundly grateful—for these manifestations of confidence and attachment, I will not conceal nor deny. But I have been, and mean to remain, a passive, if not indifferent spectator. I have reached a time of life, and seen enough of high official stations, to enable me justly to appreciate

their value, their cares, their responsibilities, their ceaseless duties. That estimate of their worth, in a personal point of view, would restrain me from seeking to fill any one, the highest of them, in a scramble of doubtful issue, with political opponents, much less with political friends. That I should feel greatly honored, by a call from a majority of the People of this country, to the highest office within their gift, I shall not deny; nor, if my health were preserved, might I feel at liberty to decline a summons so authoritative and commanding. But I declare most solemnly, that I have not, up to this moment, determined whether I will consent to the use of my name, or not, as a candidate for the Chief Magistracy. That is a grave question, which should be decided by all attainable lights, which, I think, is not necessary yet to be decided, and a decision of which I reserve to myself, as far as I can reserve it, until the period arrives when it ought to be solved. That period has not, as I think, yet arrived. When it does, an impartial survey of the whole ground should be taken, the state of public opinion properly considered, and one's personal condition, physical and intellectual, duly examined and weighed. In thus announcing a course of conduct for myself, it is hardly necessary to remark, that it is no part of my purpose to condemn, or express any opinion whatever upon those popular movements which have been made, or may be contemplated, in respect to the next election of a President of the United States.

If to have served my country, during a long series of years, with fervent zeal and unshaken fidelity, in seasons of peace and war, at home and abroad, in the Legislative Halls, and in an Executive Department; if to have labored most sedulously to avert the embarrassment and distress which now overspread this Union; and when they came, to have exerted myself anxiously, at the Extra session, and at this, to devise healing remedies; if to have desired to introduce economy and reform in the general administration, curtail enormous Executive power, and amply provide, at the same time, for the wants of the Government, and the wants of the People, by a Tariff which would give it revenue and them protection; if to have earnestly sought to establish the bright, but too rare example of a party in power, faithful to its promises and pledges, made when out of power—if these services, exertions, and endeavors, justify the accusation of ambition, I must plead guilty to the charge.

I have wished the good opinion of the world; but I defy the most malignant of my enemies to show that I have attempted to gain it by any low or groveling arts, by any mean or unworthy sacrifices, by a violation of any of the obligations of honor, or by a breach of any of the duties which I owed to my country.

SPEECH ON THE NEW ARMY BILL.

DELIVERED IN THE HOUSE OF REPRESENTATIVES, JANUARY 18, 1813.

WAR having been declared against Great Britain on the 18th June, 1812, hostilities commenced on our Northern Frontier. General Hull had ingloriously surrendered the town and fort of Detroit, and the attack made by General Van Rensselaer on the British post near Niagara, after a display of great gallantry by our troops, resulting in a considerable loss to our forces, had proved entirely unsuccessful. In the midst of the general disappointment consequent upon these reverses, occurred the memorable contest for the Presidency between De Witt Clinton, the candidate of the peace party, and Mr. Madison. Mr. Madison having been re-elected, and a majority of Congress being of the war party, the President and Congress at once applied themselves to the vigorous prosecution of the war. Among other things, a proposition was made and carried to increase the land forces, by raising twenty additional regiments. It was during the pendency of this measure before the House of Representatives that the following speech was made by Mr. Clay.

CONSIDERING the situation in which this country is now placed—a state of actual war with one of the most powerful nations on the earth—it may not be useless to take a view of the past, and of the various parties which have at different times appeared in this country, and to attend to the manner by which we have been driven from a peaceful posture to our present warlike attitude. Such an inquiry may assist in guiding us to that result, an honorable peace, which must be the sincere desire of every friend to America! The course of that opposition, by which the administration of the Government has been unremittingly impeded for the last twelve years, is singular, and, I believe, unexampled in the history of any country. It has been alike the duty and the interest of the administration to preserve peace. It was their duty, because it is necessary to the growth of an infant people, to their genius and to their habits. It was their interest, because a change of the condition of the nation brings along with it a danger of the loss of the affections of the people. The administration has not been forgetful of these solemn obligations. No art has been left unessayed; no experiment, promising a favorable result, left untried, to maintain the peaceful relations of the country. When, some six or seven years ago, the affairs of the nation assumed a threatening aspect, a partial non-importation was adopted. As they grew more alarming, an embargo was imposed. It would have accomplished its purpose, but it was sacrificed upon the altar of conciliation. Vain and fruitless attempt to propitiate! Then came along non-intercourse; and a general non-importation followed in the train. In the meantime, any indications of a return to the public law and the path of justice, on the part of either belligerent, are seized upon with avidity by the administration—the arrangement with Mr. Erskine is concluded. It is first applauded, and then censured by the opposition. No matter with what unfeigned sincerity, with what real effort administration cultivates peace, the opposition insist that it alone is culpable for every breach that is made between the two countries.

Because the President thought proper, in accepting the proffered reparation for the attack on a national vessel, to intimate that it would have better comported with the justice of the king, (and who does not think so?) to punish the offending officer, the opposition, entering into the royal feelings, sees, in that imaginary insult, abundant cause for rejecting Mr. Erskine's arrangement. On another occasion, you cannot have forgotten the hypocritical ingenuity which they displayed, to divest Mr. Jackson's correspondence of a premeditated insult to this country. If gentlemen would only reserve for their own government, half the sensibility which is indulged for that of Great Britain, they would find much less to condemn. Restriction after restriction has been tried—negotiation has been resorted to, until further negotiation would have been disgraceful. While these peaceful experiments are undergoing a trial, what is the conduct of the opposition? They are the champions of war; the proud, the spirited, the sole repository of the nation's honor; the men of exclusive vigor and energy. The administration, on the contrary, is weak, feeble, and pusillanimous,—“incapable of being kicked into a war. The maxim, “not a cent for tribute, millions for defense,” is loudly proclaimed. Is the administration for negotiation? The opposition is tired, sick, disgusted with negotiation. They want to draw the sword and avenge the nation's wrongs. When, however, foreign nations, perhaps, emboldened by the very opposition here made, refuse to listen to the amicable appeals, which have been repeated and reiterated by the administration, to their justice and to their interests—when, in fact, war with one of them has become identified with our independence and our sovereignty, and to abstain from it was no longer possible, behold the opposition veering round and becoming the friends of peace and commerce. They tell you of the calamities of war—its tragical events—the squandering away of your resources—the waste of the public treasure, and the spilling of innocent blood. “Gorgons, hydras, and chimeras dire.” They tell you that honor is an illusion! Now we see them exhibiting the terrific forms of the roaring king of the forest. Now the meekness and humility of the lamb! They are for war and no restrictions, when the administration is for peace. They are for peace and restrictions, when the administration is for war. You find them, sir, tacking with every gale, displaying the colors of every party, and of all nations, steady only in one unalterable purpose, to steer, if possible, into the haven of power.

During all this time the parasites of opposition do not fail by cunning sarcasm or sly inuendo to throw out the idea of French influence, which is known to be false, which ought to be met in one manner only, and that is by the lie direct. The administration of this country devoted to foreign influence! The administration of this country subservient to France! Great God! what a charge! how is it so influenced? By what ligament, on what basis, on what possible foundation does it rest? Is it similarity of language? No! we speak different tongues, we speak the English language. On the resemblance of our laws? No! the sources of our jurisprudence spring from another, and a different country. On commercial intercourse? No! We have comparatively none with France. Is it from the correspondence in the genius of the two governments?

No! here alone is the liberty of man secure from the inexorable despotism which everywhere else tramples it under foot. Where then is the ground of such an influence? But, sir, I am insulting you, by arguing on such a subject. Yet, preposterous and ridiculous as the insinuation is, it is propagated with so much industry, that there are persons found foolish and credulous enough to believe it. You will, no doubt, think it incredible (but I have nevertheless been told it as a fact) that an honorable member of this house, now in my eye, recently lost his election by the circulation of a silly story in his district, that he was the first cousin of the Emperor Napoleon. The proof of the charge rested on the statement of facts, which was undoubtedly true. The gentleman in question, it was alleged, had married a connection of the lady of the President of the United States; who was the intimate friend of Thomas Jefferson, late President of the United States, who some years ago was in the habit of wearing red French breeches. Now, taking these premises as established, you, Mr. Chairman, are too good a logician not to see that the conclusion necessarily follows!

Throughout the period I have been speaking of, the opposition has been distinguished, amidst all its veerings and changes, by another inflexible feature—the application to Bonaparte of every vile and opprobrious epithet, which our language, copious as it is in terms of vituperation, affords. He has been compared to every hideous monster and beast, from that mentioned in the Revelation, down to the most insignificant quadruped. He has been called the scourge of mankind, the destroyer of Europe, the great robber, the infidel, the modern Attila, and heaven knows by what other names. Really, gentlemen remind me of an obscure lady, in a city not very far off, who also took it into her head, in conversation with an accomplished French gentleman, to talk of the affairs of Europe. She too spoke of the destruction of the balance of power, stormed and raged about the insatiable ambition of the Emperor; and called him the curse of mankind, the destroyer of Europe. The Frenchman listened to her with perfect patience, and, when she had ceased, said to her, with ineffable politeness, “Madam, it would give my master the emperor, infinite pain, if he knew how hardly you thought of him.” Sir, gentlemen appear to me to forget that they stand on American soil; that they are not in the British House of Commons, but in the Chamber of the House of Representatives of the United States; that we have nothing to do with the affairs of Europe, the partition of territory, and sovereignty there, except so far as these things affect the interests of our own country. Gentlemen transform themselves into the Burkes, Chathams and Pitts of another country, and forgetting, from honest zeal, the interests of America, engage with European sensibility in the discussion of European interests. If gentlemen ask me whether I do not view with regret and horror the concentration of such vast power in the hands of Bonaparte, I reply that I do. I regret to see the Emperor of China holding such immense sway over the fortunes of millions of our species. I regret to see Great Britain possessing so uncontrolled a command over all the waters of our globe. If I had the ability to distribute among the nations of Europe their several portions of power and sovereignty, I would say that Holland should be resusci-

tated, and given the weight she enjoyed in the days of her De Witts. I would confine France within her natural boundaries, the Alps, Pyrenees, and the Rhine, and make her a secondary naval power only. I would abridge the British maritime power, raise Prussia and Austria to their original condition, and preserve the integrity of the Empire of Russia. But these are speculations. I look at the political transactions of Europe, with the single exception of their possible bearing upon us, as I do at the history of other countries, or other times. I do not survey them with half the interest that I do the movements in South America. Our political relations with them are much less important than they are supposed to be. I have no fears of French or English subjugation. If we are united, we are too powerful for the mightiest nation in Europe, or all Europe combined. If we are separated and torn asunder, we shall become an easy prey to the weakest of them. In the latter dreadful contingency, our country will not be worth preserving.

Next to the notice which the opposition has found itself called upon to bestow upon the French emperor, a distinguished citizen of Virginia, formerly President of the United States, has never for a moment failed to receive their kindest and most respectful attention. An honorable gentleman from Massachusetts, (Mr. Quincy,) of whom, I am sorry to say, it becomes necessary for me, in the course of my remarks, to take some notice, has alluded to him in a remarkable manner. Neither his retirement from public office, his eminent services, nor his advanced age, can exempt this patriot from the coarse assaults of party malevolence. No, sir, in 1801, he snatched from the rude hand of usurpation the violated constitution of his country, and *that* is his crime. He preserved that instrument, in form, and substance, and spirit, a precious inheritance for generations to come, and for *this* he can never be forgiven. How vain and impotent is party rage, directed against such a man! He is not more elevated by his lofty residence, upon the summit of his own favorite mountain, than he is lifted, by the serenity of his mind, and the consciousness of a well spent life, above the malignant passions and bitter feelings of the day. No! his own beloved Monticello is not more moved by the storms that beat against its sides, than is this illustrious man, by the howlings of the whole British pack set loose from the Essex kennel! When the gentleman to whom I have been compelled to allude shall have mingled his dust with that of his abused ancestors—when he shall have been consigned to oblivion, or, if he lives at all, shall live only in the treasonable annals of a certain junto, the name of Jefferson will be hailed with gratitude, his memory honored and cherished as the second founder of the liberties of the people, and the period of his administration will be looked back to as one of the happiest and brightest epochs of American history; an oasis in the midst of a sandy desert. But I beg the gentleman's pardon; he has indeed secured to himself a more imperishable fame than I had supposed. I think it was about four years ago that he submitted to the House of Representatives an initiative proposition for an impeachment of Mr. Jefferson. The House condescended to consider it. The gentleman debated it with his usual *temper, moderation, and urbanity*. The House decided upon it in the most solemn manner, and although the gentleman had somehow obtained a second, the final vote stood one for, and

one hundred and seventeen against the proposition! The same historic page that transmitted to posterity the virtue and the glory of Henry the Great of France, for their admiration and example, has preserved the infamous name of the fanatic assassin of that excellent monarch. The same sacred pen that portrayed the sufferings and crucifixion of the Savior of mankind, has recorded for universal execration, the name of him who was guilty, not of betraying his country, but (a kindred crime) of betraying his God.

In one respect there is a remarkable difference between the administration and the opposition—it is in a sacred regard for personal liberty. When out of power my political friends condemned the surrender of Jonathan Robbins; they opposed the violation of the freedom of the press, in the sedition law; they opposed the more insidious attack upon the freedom of the person, under the imposing garb of an alien law. The party now in opposition, then in power, advocated the sacrifice of the unhappy Robbins, and passed those two laws. True to our principles, we are now struggling for the liberty of our seamen against foreign oppression. True to theirs, they oppose a war undertaken for this object. They have, indeed, lately affected a tender solicitude for the liberties of the people, and talk of the danger of standing armies, and the burden of taxes. But it must be evident to you, Mr. Chairman, that they speak in a foreign idiom. Their brogue evinces that it is not their vernacular tongue. What! the opposition who, in 1798 and 1799, could raise a useless army to fight an enemy three thousand miles distant from us, alarmed at the existence of one raised for a known and specific object—the attack of the adjoining provinces of the enemy. What! the gentleman from Massachusetts, who assisted by his vote to raise the army of 25,000, alarmed at the danger of our liberties from this very army!

But, sir, I must speak of another subject, which I never think of but with feelings of the deepest awe. The gentleman from Massachusetts, in imitation of some of his predecessors of 1799, has entertained us with a picture of cabinet plots, presidential plots, and all sorts of plots, which have been engendered by the diseased state of the gentleman's imagination. I wish, sir, that another plot of a much more serious and alarming character—a plot that aims at the dismemberment of our Union, had only the same imaginary existence. But no man who has paid any attention to the tone of certain prints, and to transactions in a particular quarter of the Union, for several years past, can doubt the existence of such a plot. It is far, very far from my intention to charge the opposition with such a design. No, I believe them generally incapable of it. But I cannot say as much for some, who have been unworthily associated with them in the quarter of the Union to which I have referred. The gentleman cannot have forgotten his own sentiment, uttered even on the floor of this House, "Peaceably if we can, forcibly if we must;" nearly at the very time Henry's mission to Boston was undertaken. The flagitiousness of that embassy has been attempted to be concealed, by directing the public attention to the price which the gentleman says was given for the disclosure. As if any price could change the atrociousness of the attempt on the part of Great Britain, or could extenuate, in the slightest degree, the offense of those citizens, who entertained and delibe-

rated upon a proposition so infamous and unnatural! There was a remarkable coincidence between some of the things which that man states, and certain events in the quarter alluded to. In the contingency of a war with Great Britain, it will be recollected that the neutrality and eventual separation of that section of the Union was to be brought about. How, Sir, has it happened, since the declaration of war, that British officers in Canada have asserted to American officers, that this very neutrality would take place? That they have so asserted, can be established beyond controversy. The project is not brought forward openly, with a direct avowal of the intention. No, the stock of good sense and patriotism in that portion of the country is too great to be undisguisedly encountered. It is assailed from the masked batteries of friendship, of peace and commerce on the one side, and by the groundless imputation of opposite propensities on the other. The affections of the people there are gradually to be undermined. The project is suggested or withdrawn; the diabolical *dramatis personæ*, in this criminal tragedy, make their appearance or exit, as the audience, to whom they address themselves, applaud or condemn. I was astonished, sir, in reading lately a letter, or pretended letter, published in a prominent print in that quarter, and written, not in the fervor of party zeal, but coolly and dispassionately, to find that the writer affected to reason about a separation, and attempted to demonstrate its advantages to the different portions of the Union—deploring the existence now of what he terms prejudices against it, but hoping for the arrival of the period when they shall be eradicated. But, sir, I will quit this unpleasant subject; I will turn from one, whom no sense of decency or propriety could restrain from soiling the carpet on which he treads, to gentlemen who have not forgotten what is due to themselves, to the place in which we are assembled, or to those by whom they are opposed. The gentlemen from North Carolina, (Mr. Pearson), from Connecticut, (Mr. Pitkin), and from New York, (Mr. Bleeker), have, with their usual decorum, contended that the war would not have been declared, had it not been for the duplicity of France, in withholding an authentic instrument, repealing the decrees of Berlin and Milan; that upon the exhibition of such an instrument, the revocation of the orders in council took place; that this main cause of the war, but for which it would not have been declared, being removed, the administration ought to seek for the restoration of peace; and that upon its sincerely doing so, terms compatible with the honor and interest of this country might be obtained. It is my purpose to examine, first, into the circumstances under which the war was declared; secondly, into the causes of continuing it; and, lastly, into the means which have been taken, or ought to be taken, to procure peace; but, sir, I am really so exhausted, that, little as I am in the habit of asking of the house an indulgence of this kind, I feel I must trespass on their goodness.

[Here Mr. Clay sat down. Mr. Newton then moved that the Committee rise, report progress, and ask leave to sit again, which was done. On the next day he proceeded.]

I am sensible, Mr. Chairman, that some part of the debate, to which this bill has given rise, has been attended by circumstances much to be regretted,

not usual in this House, and of which it is to be hoped there will be no repetition. The gentleman from Boston has so absolved himself from every rule of decorum and propriety, has so outraged all decency, that I have found it impossible to suppress the feelings excited on the occasion. His colleague, whom I have the honor to follow (Mr. Wheaton), whatever else he may not have proved, in his very learned, ingenious, and original exposition of the powers of this government—an exposition in which he had sought where nobody before him has, and nobody after him will look, for a grant of our powers, I mean the preamble to the Constitution—has clearly shown to the satisfaction of all who heard him, that the power of defensive war is conferred. I claim the benefit of a similar principle in behalf of my political friends against the gentleman from Boston. I demand only the exercise of the right of repulsion. No one is more anxious than I am to preserve the dignity and freedom of debate—no member is more responsible for its abuse, and if, on this occasion, its just limits have been violated, let him who has been the unprovoked aggressor, appropriate to himself exclusively the consequences.

I omitted, yesterday, sir, when speaking of a delicate and painful subject, to notice a powerful engine which the conspirators against the integrity of the Union employ to effect their nefarious purposes—I mean southern influence. The true friend to his country knowing that our Constitution was the work of compromise, in which interests apparently conflicting were attempted to be reconciled, aims to extinguish or allay prejudices. But this patriotic exertion does not suit the views of those who are urged on by diabolical ambition. They find it convenient to imagine the existence of certain improper influences, and to propagate with their utmost industry a belief of them. Hence the idea of southern preponderance—Virginia influence—the yoking of the respectable yeomanry of the north, with negro slaves, to the car of southern nabobs. If Virginia really cherished a reprehensible ambition, an aim to monopolize the Chief Magistracy of the country, how was such a purpose to be accomplished? Virginia alone cannot elect a President, whose elevation depends upon a plurality of electoral votes, and a consequent concurrence of many States. Would Vermont, disinterested Pennsylvania, the Carolinas, independent Georgia, Kentucky, Tennessee, Ohio, Louisiana, all consent to become the tools of inordinate ambition? But the present incumbent was designated to the office before his predecessor had retired. How? By public sentiment—public sentiment which grew out of his known virtues, his illustrious services, and his distinguished abilities. Would the gentleman crush this public sentiment—is he prepared to admit that he would arrest the progress of opinion?

The war was declared because Great Britain arrogated to herself the pretension of regulating our foreign trade, under the delusive name of retaliatory orders in council—a pretension by which she undertook to proclaim to American enterprise, "Thus far shalt thou go, and no farther,"—orders which she refuses to revoke after the alleged cause of their enactment had ceased; because she persisted in the practice of impressing American seamen; because she instigated the Indians to commit hostilities against us; and because she refused indemnity for her past injuries upon our commerce. I

throw out of the question other wrongs. The war, in fact, was announced, on our part, to meet the war which she was waging on her part. So undeniable were the causes of the war—so powerfully did they address themselves to the feelings of the whole American people, that when the bill was pending before this House, gentlemen in the opposition, although provoked to debate, would not or could not utter one syllable against it. It is true, they wrapped themselves up in sullen silence, pretending they did not choose to debate such a question in secret session. While speaking of the proceedings on that occasion, I beg to be permitted to advert to another fact which transpired—an important fact, material for the nation to know, and which I have often regretted had not been spread upon our journals. My honorable colleague (Mr. McKee) moved, in Committee of the whole, to comprehend France in the war; and when the question was taken upon the proposition, there appeared but ten votes in support of it, of whom seven belonged to this side of the house, and three only to the other! It is said that we were inveigled into the war by the perfidy of France; and that had she furnished the document in time, which was first published in England, in May last, it would have been prevented. I will concede to gentlemen everything they ask about the injustice of France toward this country. I wish to God that our ability was equal to our disposition, to make her feel the sense that we entertain of that injustice. The manner of the publication of the paper in question was undoubtedly extremely exceptionable. But I maintain that had it made its appearance earlier, it would not have had the effect supposed; and the proof lies in the unequivocal declarations of the British government. I will trouble you, sir, with going no further back than to the letters of the British minister, addressed to the Secretary of State, just before the expiration of his diplomatic functions. It will be recollected by the Committee that he exhibited to this government a dispatch from Lord Castlereagh, in which the principle was distinctly avowed, that to produce the effect of a repeal of the orders in council, the French decrees must be absolutely and entirely revoked as to all the world, and not as to America alone. A copy of that dispatch was demanded of him, and he very awkwardly evaded it. But on the 10th of June, after the bill declaring war had actually passed this House, and was pending before the Senate, (and which I have no doubt was known to him), in a letter to Mr. Monroe, he says:

"I have no hesitation, sir, in saying that Great Britain, as the case has hitherto stood, never did, nor ever *could* engage, without the greatest injustice to herself and her allies, as well as to other neutral nations, to repeal her orders as affecting America alone, leaving them in force against other states, upon condition that France would except, singly and specially, America from the operation of her decrees."

On the fourteenth of the same month, the bill still pending before the Senate, he repeats:

"I will now say, that I feel entirely authorized to assure you, that if you can at any time produce a *full and unconditional* repeal of the French decrees, as you have a right to demand it in your character of a neutral nation, and that it be disengaged from any question concerning our maritime rights, we

shall be ready to meet you with a revocation of the orders in council. Previously to your producing such an instrument; which I am sorry to see you regard as unnecessary, you cannot expect of us to give up our orders in council."

Thus, sir, you see that the British government would not be content with a repeal of the French decrees as to us only. But the French paper in question was such a repeal. It could not therefore satisfy the British government. It could not therefore have induced that government, had it been earlier promulgated, to repeal the orders in council. It could not therefore have averted the war. The withholding of it did not occasion the war, and the promulgation of it would not have prevented the war. But gentlemen have contended that, in point of fact, it did produce a repeal of the orders in council. This I deny. After it made its appearance in England, it was declared by one of the British ministry, in Parliament, not to be satisfactory. And all the world knows, that the repeal of the orders in council resulted from the inquiry, reluctantly acceded to by the ministry, into the effect upon their manufacturing establishments of our non-importation law, or to the warlike attitude assumed by this government, or to both. But it is said that the orders in council are withdrawn, no matter from what cause; and that having been the sole motive for declaring the war, the relations of peace ought to be restored. This brings me to the examination of the grounds for continuing the present hostilities between this country and Great Britain.

I am far from acknowledging that, had the orders in council been repealed, as they have been, before the war was declared, the declaration of hostilities would of course have been prevented. In a body so numerous as this is, from which the declaration emanated, it is impossible to say, with any degree of certainty, what would have been the effect of such a repeal. Each member must answer for himself. As to myself, I have no hesitation in saying, that I have always considered the impressment of American seamen as much the most serious aggression. But, sir, how have those orders at last been repealed? Great Britain, it is true, has intimated a willingness to suspend their practical operation, but she still arrogates to herself the right to revive them upon certain contingencies, of which she constitutes herself the sole judge. She waves the temporary use of the rod, but she suspends it in *terrorem* over our heads. Supposing it to be conceded to gentlemen that such a repeal of the orders in council as took place on the twenty-third June last, exceptionable as it is, being known before the war was proclaimed, would have prevented it: does it follow, that it ought to induce us to lay down our arms, without the redress of any other injury of which we complain? Does it follow, in all cases, that that which would, in the first instance, have prevented, would also terminate the war? By no means. It requires a strong and powerful effort in a nation; prone to peace as this is, to burst through its habits and encounter the difficulties and privations of war. Such a nation ought but seldom to embark in a beligerent contest; but when it does, it should be for obvious and essential rights alone, and should firmly resolve to extort, at all hazards, their recognition. The war of the revolution is an example of a war begun for one object, and prosecuted for another. It was waged, in its commencement,

against the right asserted by the parent country to tax the colonies. Then no one thought of absolute independence. The idea of independence was repelled. But the British government would have relinquished the principle of taxation. The founders of our liberties saw, however, that there was no security short of independence, and they achieved that independence. When nations are engaged in war, those rights in controversy, which are not acknowledged by the treaty of peace, are abandoned. And who is prepared to say, that American seamen shall be surrendered as victims to the British principle of impressment? And, sir, what is this principle? She contends that she has a right to the services of her own subjects; and that, in the exercise of this right, she may lawfully impress them, even although she finds them in American vessels, upon the high seas, without her jurisdiction. Now I deny that she has any right, beyond her jurisdiction, to come on board our vessels, upon the high seas, for any other purpose than in the pursuit of enemies, or their goods, or goods contraband of war. But she further contends, that her subjects cannot renounce their allegiance to her, and contract a new obligation to other sovereigns. I do not mean to go into the general question of the right of expatriation. If, as is contended, all nations deny it, all nations at the same time admit and practice the right of naturalization. Great Britain herself does this. Great Britain, in the very case of foreign seamen, imposes perhaps, fewer restraints upon naturalization than any other nation. Then, if subjects cannot break their original allegiance, they may, according to universal usage, contract a new allegiance. What is the effect of this double obligation? Undoubtedly, that the sovereign having the possession of the subject, would have a right to the services of the subject. If he return within the jurisdiction of his primitive sovereign, he may resume his right to his services, of which the subject, by his own act, could not divest himself. But his primitive sovereign can have no right to go in quest of him, out of his own jurisdiction, into the jurisdiction of another sovereign, or upon the high seas, where there exists either no jurisdiction, or it is possessed by the nation owning the ship navigating them. But, sir, this discussion is altogether useless. It is not to the British principle, objectionable as it is, that we are alone to look; it is to the practice, no matter what guise she puts on. It is in vain to assert the inviolability of the obligation of allegiance. It is in vain to set up the plea of necessity, and to allege that she cannot exist without the impressment of HER seamen. The naked truth is, she comes, by her press-gangs, on board of our vessels, seizes our native, as well as naturalized seamen, and drags them into her service. It is the case, then, of the assertion of an erroneous principle, and of a practice not conformable to the asserted principle—a principle which, if it were theoretically right, must be forever practically wrong—a practice which can obtain countenance from no principle whatever, and to submit to which, on our part, would betray the most abject degradation. We are told by gentlemen in the opposition, that government has not done all that was incumbent on it to do, to avoid just cause of complaint on the part of Great Britain—that, in particular, the certificates of protection, authorized by the act of 1796, are fraudulently used. Sir, government has done too much in granting those paper protections. I can

never think of them without being shocked. They resemble the passes which the master grants to his negro slave—"Let the bearer, Mungo, pass and repass without molestation." What do they imply? That Great Britain has a right to seize all who are not provided with them. From their very nature they must be liable to abuse on both sides. If Great Britain desires a mark by which she can know her own subjects, let her give them an ear-mark. The colors that float from the mast head should be the credentials of our seamen. There is no safety to us, and the gentlemen have shown it, but in the rule that all who sail under the flag, (not being enemies), are protected by the flag. It is impossible that this country should ever abandon the gallant tars who have won for us such splendid trophies. Let me suppose that the Genius of Columbia should visit one of them in his oppressor's prison, and attempt to reconcile him to his forlorn and wretched condition. She would say to him, in the language of gentlemen on the other side, "Great Britain intends you no harm; she did not mean to impress you, but one of her own subjects; having taken you by mistake, I will remonstrate, and try to prevail upon her, by peaceful means, to release you, but I cannot, my son, fight for you." If he did not consider this mere mockery, the poor tar would address her judgment and say, "You owe me, my country, protection; I owe you, in return, obedience. I am no British subject. I am a native of old Massachusetts, where live my aged father, my wife, my children. I have faithfully discharged my duty. Will you refuse to do yours?" Appealing to her passions, he would continue: "I lost this eye in fighting under Truxton, with the Insurgente; I got this scar before Tripoli; I broke this leg on board the Constitution, when the Guerriere struck." If she remained still unmoved, he would break out, in the accents of mingled distress and despair—

"Hard, hard, is my fate! once I freedom enjoyed,

Was as happy as happy could be!

Oh! how hard is my fate, how galling these chains!"

I will not imagine the dreadful catastrophe to which he would be driven by an abandonment of him to his oppressor. It will not be, it cannot be, that this country will refuse him protection.

It is said that Great Britain has been always willing to make a satisfactory arrangement of the subject of impressment, and that Mr. King had nearly concluded one prior to his departure from that country. Let us hear what that minister says, upon his return to America. In his letter dated at New-York, in July, 1803, after giving an account of his attempt to form an arrangement for the protection of our seamen, and his interview to this end with Lords Hawkesbury and St. Vincent, and stating that, when he had supposed the terms of a convention were agreed upon, a new pretension was set up, (the *mare clausum*), he concludes: "I regret not to have been able to put this business on a satisfactory footing, knowing as I do its very great importance to both parties; but I flatter myself that I have not misjudged the interests of our own country, in refusing to sanction a principle that might be productive of more extensive evils than those it was our aim to prevent." The sequel of his negotiation on this affair, is more fully given in the recent conversation between Mr. Russell and Lord Castlereagh, communicated to

Congress during its present session. Lord Castlereagh says to Mr. Russell :

" Indeed, there has evidently been much misapprehension on this subject, an erroneous belief entertained that an arrangement in regard to it, has been nearer an accomplishment than the facts will warrant. Even our friends in Congress, I mean those who are opposed to going to war with us, have been so confident in this mistake, that they have ascribed the failure of such an arrangement solely to the misconduct of the American government. This error probably originated with Mr. King, for being much esteemed here, and always well received by the persons in power, he seems to have misconstrued their readiness to listen to his representations, and their warm professions of a disposition to remove the complaints of America in relation to impressment, into a supposed conviction, on their part, of the propriety of adopting the plan which he had proposed. But Lord St. Vincent, whom he might have thought he had brought over to his opinions, appears never for a moment to have ceased to regard all arrangements on the subject, to be attended with formidable, if not insurmountable obstacles. This is obvious from a letter which his lordship addressed to Sir William Scott at the time." Here Lord Castlereagh read a letter, contained in the records before him, in which Lord St. Vincent states to Sir William Scott the zeal with which Mr. King has assailed him on the subject of impressment, confesses his own perplexity, and total incompetency to discover any practical project for the safe discontinuance of that practice, and asks for counsel and advice. " Thus you see," proceeded Lord Castlereagh, " that the confidence of Mr. King on this subject was entirely unfounded."

Thus, it is apparent, that, at no time, has the enemy been willing to place this subject on a satisfactory footing. I will speak hereafter of the overtures made by the administration since the war.

The honorable gentleman from New York, (Mr. Bleecker,) in the very sensible speech with which he favored the committee, made one observation which did not comport with his usual liberal and enlarged views. It was that those who are most interested against the practice of impressment, did not desire a continuance of the war on account of it, while those (the southern and western members) who had no interest in it, were the zealous advocates of American seamen. It was a provincial sentiment unworthy of that gentleman, it was one which, in a change of condition, he would not express, because I know he could not feel it. Does not that gentleman feel for the unhappy victims of the tomahawk in the western wilds, although his quarter of the Union may be exempted from similar barbarities? I am sure he does. If there be a description of rights which, more than any other, should unite all parties in all quarters of the Union, it is unquestionably the rights of the person. No matter what his vocation; whether he seeks subsistence amidst the dangers of the deep, or draws them from the bowels of the earth, or from the humblest occupations of mechanic life: whenever the sacred rights of an American freeman are assailed, all hearts ought to unite, and every arm should be braced to vindicate his cause.

The gentleman from Delaware sees in Canada no object worthy of conquest. According to him, it is a cold, sterile, and inhospitable region. And

yet, such are the allurements which it offers, that the same gentleman apprehends that, if it be annexed to the United States, already too much weakened by an extension of territory, the people of New England will rush over the line and depopulate that section of the Union! That gentleman considers it honest to hold Canada as a kind of hostage; to regard it as a sort of bond for the good behavior of the enemy. But he will not enforce the bond. The actual conquest of that country would, according to him, make no impression upon the enemy, and yet, the very apprehension only of such a conquest would at all times have a powerful operation upon him! Other gentlemen consider the invasion of that country as wicked and unjustifiable. Its inhabitants are represented as harmless and unoffending; as connected with those of the bordering States by a thousand tender ties, interchanging acts of kindness, and all the offices of good neighborhood. Canada innocent! Canada unoffending! Is it not in Canada that the tomahawk of the savage has been moulded into its death-like form? Has it not been from Canada magazines, Malden and others, that those supplies have been issued which nourish and continue the Indian hostilities? supplies which have enabled the savage hordes to butcher the garrison of Chicago, and to commit other horrible excesses and murders? Was it not by the joint co-operation of Canadians and Indians that a remote American fort, Michilimackinac, was assailed and reduced, while in ignorance of a state of war? But, sir, how soon have the opposition changed their tone! When the administration was striving, by the operation of peaceful measures, to bring Great Britain back to a sense of justice, they were for old-fashioned war. And now they have got old-fashioned war, their sensibilities are cruelly shocked, and all their sympathies lavished upon the harmless inhabitants of the adjoining provinces. What does a state of war present? The united energies of one people, arrayed against the combined energies of another—a conflict in which each party aims to inflict all the injury it can, by sea and land, upon the territories, property, and citizens of the other, subject only to the rules of mitigated war, practiced by civilized nations. The gentlemen would not touch the continental provinces of the enemy, nor, I presume, for the same reason, her possessions in the West Indies. The same humane spirit would spare the seamen and soldiers of the enemy. The sacred person of his majesty must not be attacked, for the learned gentlemen on the other side are quite familiar with the maxim, that the king can do no wrong. Indeed, sir, I know of no person on whom we may make war, upon the principles of the honorable gentlemen, but Mr. Stephen, the celebrated author of the orders in council, or the board of admiralty, who authorize and regulate the practice of impressment!

The disasters of the war admonish us, we are told, of the necessity of terminating the contest. If our achievements by land have been less splendid than those of our intrepid seamen by water, it is not because the American soldier is less brave. On the one element, organization, discipline, and a thorough knowledge of their duties exist on the part of the officers and their men. On the other, almost everything is yet to be acquired. We have, however, the consolation that our country abounds with the richest

materials, and that in no instance when engaged in action have our arms been tarnished. At Brownstown and at Queenstown the valor of veterans was displayed, and acts of the noblest heroism were performed. It is true, that the disgrace of Detroit remains to be wiped off. That is a subject on which I cannot trust my feelings; it is not fitting I should speak of it. But this much I will say, it was an event which no human foresight could have anticipated, and for which the administration cannot be justly censured. It was the parent of all the misfortunes we have experienced on land. But for it the Indian war would have been in a great measure prevented or terminated; the ascendancy on Lake Erie acquired, and the war pushed on perhaps to Montreal. With the exception of that event, the war even upon the land, has been attended by a series of the most brilliant exploits, which, whatever interest they may inspire on this side of the mountains, have given the greatest pleasure on the other. The expedition under the command of Governor Edwards and Colonel Russel, to Lake Peoria, on the Illinois, was completely successful. So was that of Captain Craig, who it is said ascended that river still higher. General Hopkins destroyed the prophet's town. We have just received intelligence of the gallant enterprise of Colonel Campbell. In short, sir, the Indian towns have been swept from the mouth to the source of the Wabash, and a hostile country has been penetrated far beyond the most daring incursions of any campaign during the former Indian war. Never was more cool, deliberate bravery displayed than that by Newman's party from Georgia. And the capture of the Detroit, and the destruction of the Caledonia, (whether placed to a maritime or land account,) for judgment, skill, and courage on the part of Lieutenant Elliott, have never been surpassed.

It is alledged that the elections in England are in favor of the ministry, and that those in this country are against the war. If in such a cause (saying nothing of the impurity of their elections (the people of that country have rallied round their government, it affords a salutary lesson to the people here, who at all hazards ought to support theirs, struggling as it is to maintain our just rights. But the people here have not been false to themselves; a great majority approve the war, as is evinced by the recent re-election of the Chief Magistrate. Suppose it were even true that an entire section of the Union were opposed to the war, that section being a minority, is the will of the majority to be relinquished? In that section the real strength of the opposition has been greatly exaggerated. Vermont has, by two successive expressions of her opinion, approved the declaration of war. In new Hampshire, parties are so nearly equipoised, that out of thirty or thirty-five thousand votes those who approved and are for supporting it, lost the election by only one thousand or one thousand five hundred. In Massachusetts alone have they attained any considerable accession. If we come to New York, we shall find that other and local causes have influenced her election.

What cause, Mr. Chairman, which existed for declaring the war has been removed? We sought indemnity for the past and security for the future. The Orders in Council are suspended, not revoked, no compensation for spoiliations, Indian hostilities, which were before secretly instigated, are now

openly encouraged; and the practice of impressment unremittingly persevered in and insisted upon. Yet the administration has given the strongest demonstrations of its love of peace. On the twenty-ninth of June, less than ten days after the declaration of war, the Secretary of State writes to Mr. Russell, authorizing him to agree to an armistice, upon two conditions only, and what were they? That the orders in council should be repealed, and the practice of impressing American seamen cease, those already impressed being released. The proposition was for nothing more than a *real* truce; that the war should in fact cease on *both* sides. Again on the twenty-seventh of July, one month later, anticipating a possible objection to these terms, reasonable as they were, Mr. Monroe empowers Mr. Russell to stipulate in general terms for an armistice, having only an informal understanding on these points. In return the enemy is offered a prohibition of the employment of his seamen in our service, thus removing entirely all pretext for the practice of impressment. The very proposition which the gentleman from Connecticut (Mr. Pitkin) contends ought to be made, has been made. How are these pacific advances met by the other party? Rejected as absolutely inadmissible; cavils are indulged about the inadequacy of Mr. Russell's powers, and the want of an act of Congress is intimated. And yet the constant usage of nations I believe is, where the legislation of one party is necessary to carry into effect a given stipulation, to leave it to the contracting party to provide the requisite laws. If they fail to do so, it is a breach of good faith, and becomes the subject of subsequent remonstrance by the injured party. When Mr. Russell renews the overture, in what was intended as a more agreeable form to the British government, Lord Castlereagh is not content with a simple rejection, but clothes it in the language of insult. Afterward, in conversation with Mr. Russell, the moderation of our government is misinterpreted and made the occasion of a sneer, that we are tired of the war. The proposition of Admiral Warren is submitted in a spirit not more pacific. He is instructed, he tells us to propose that the government of the United States shall instantly recall their letters of marque and reprisal against British ships, together with all orders and instructions for any acts of hostility whatever against the territories of his majesty or the persons or property of his subjects. That small affair being settled, he is further authorized to arrange as to the revocation of the laws which interdict the commerce and ships of war of his majesty from the harbors and waters of the United States. This messenger of peace comes with one qualified concession in his pocket, not made to the justice of our demands, and is fully empowered to receive our homage, a contrite retraction of all our measures adopted against his master! and in default, he does not fail to assure us, the orders in council are to be forthwith revived. The administration, still anxious to terminate the war, suppresses the indignation which such a proposal ought to have created, and in its answer concludes by informing Admiral Warren, "that if there be no objection to an accommodation of the difference relating to impressment, in the mode proposed, other than the suspension of the British claim to impressment during the armistice, there can be none to proceeding, *without the armistice*, to an immediate discussion and arrangement of an article on that subject." Thus it has left the

door of negotiation unclosed, and it remains to be seen if the enemy will accept the invitation tendered to him. The honorable gentleman from North Carolina (Mr. Pearson) supposes, that if Congress would pass a law prohibiting the employment of British seamen in our service, upon condition of a like prohibition on their part, and repeal the act of non-importation, peace would immediately follow. Sir, I have no doubt if such a law were to pass, with all the requisite solemnities, and the repeal to take place, Lord Castlereagh would laugh at our simplicity. No, sir, the administration has erred in the steps which it has taken to restore peace, but its error has been, not in doing too little, but in betraying too great a solicitude for that event. An honorable peace is attainable only by an efficient war. My plan would be to call out the ample resources of the country, give them a judicious direction prosecute the war with the utmost vigor, strike wherever we can reach the enemy, at sea or on land, and negotiate the terms of a peace at Quebec or at Halifax. We are told that England is a proud and lofty nation, which, disdaining to wait for danger, meets it half way. Haughty as she is, we once triumphed over her, and, if we do not listen to the counsels of timidity and despair, we shall again prevail. In such a cause with the aid of Providence, we must come out crowned with success; but if we fail, let us fail like men, lash ourselves to our gallant tars, and expire together in one common struggle, fighting for **FREE TRADE AND SEAMAN'S RIGHTS.**

SPEECH ON THE EMANCIPATION OF SOUTH AMERICA.

DELIVERED IN THE HOUSE OF REPRESENTATIVES, MARCH 24, 1818.

THE several provinces of South America having been enabled to shake off the yoke of servitude to Spain and Portugal during the long and desperate wars by Napoleon against the nations of the Peninsula, and having gallantly maintained their independence by vanquishing the armies sent against them after the fall of Bonaparte, the friends of liberty in this hemisphere believed that the time had come when the eldest and most powerful of the American Republics might fitly and justly take the lead in acknowledging that independence in the face of hostile Europe, and in defiance of the "Divine right of Kings to rule." During the summer of 1816, President Monroe had appointed Messrs. Rodney, Graham and Bland, Commissioners to proceed to South America and ascertain the condition of the country. In March, 1818, the appropriation bill being before the House, Mr. Clay objected to the clause appropriating \$30,000 for their compensation as unauthorized and unconstitutional, and moved an amendment, appropriating \$18,000 for the outfit and salary of a Minister Plenipotentiary to the Independent Provinces of the River La Plata in South America. The amendment failed, but afforded an occasion for one of Mr. Clay's most memorable efforts.

I RISE under feelings of deeper regret than I have ever experienced on any former occasion, inspired, principally, by the painful consideration, that I find myself, on the proposition which I meant to submit, differing from many highly esteemed friends, in and out of this House, for whose judgment I entertained the greatest respect. A knowledge of this circumstance has induced me to pause; to subject my own convictions to the severest scrutiny, and to revolve the question over and over again. But all my reflections have conducted me to the same clear result; and much as I value those friends—great as my deference is for their opinions—I cannot hesitate, when reduced to the distressing alternative of conforming my judgment to theirs, or pursuing the deliberate and mature dictates of my own mind. I enjoy some consolation, for want of their co-operation, from the persuasion that, if I err on this occasion, I err on the side of the liberty and happiness of a large portion of the human family. Another, and, if possible, indeed, a greater source of the regret to which I refer, is the utter incompetency, which I unfeignedly feel, to do anything like adequate justice to the great cause of American independence and freedom, whose interests I wish to promote by my humble exertions in this instance. Exhausted and worn down as I am, by the fatigue, confinement, and incessant application incident to the arduous duties of the honorable station I hold, during a four months' session, I shall need all that kind indulgence which has been so often extended to me by the House.

I beg, in the first place, to correct misconceptions, if any exist, in regard to my opinions. I am averse from war with Spain, or with any power. I would give no just cause of war to any power—not to Spain herself. I have

seen enough of war, and of its calamities, even when successful. No country upon earth has more interest than this in cultivating peace and avoiding war, as long as it is possible honorably to avoid it. Gaining additional strength every day; our numbers doubling in periods of twenty-five years; with an income outstripping all our estimates, and so great, as, after a war in some respects disastrous, to furnish results which carry astonishment, if not dismay, into the bosom of states jealous of our rising importance,—we have every motive for the love of peace. I cannot, however, approve, in all respects, of the manner in which our negotiations with Spain have been conducted. If ever a favorable time existed for the demand, on the part of an injured nation, of indemnity for past wrongs from the aggressor, such is the present time. Impoverished and exhausted at home, by the wars which have desolated the peninsula; with a foreign war, calling for infinitely more resources, in men and money, than she can possibly command, this is the auspicious period for insisting upon justice at her hands, in a firm and decided tone. Time is precisely what Spain now most wants. Yet what are we told by the President in his message at the commencement of Congress? That Spain had procrastinated, and we acquiesced in her procrastination. And the Secretary of State, in a late communication with Mr. Onís, after ably vindicating all our rights, tells the Spanish minister, with a good deal of *sang froid*, that we had patiently waited thirteen years for a redress of our injuries, and that it required no great effort to wait longer! I would have abstained from thus exposing our intentions. Avoiding the use of the language of menace, I would have required, in temperate and decided terms indemnity for all our wrongs; for the spoliation of our commerce; for the interruption of the right of depot at New Orleans, guaranteed by treaty; for the insults repeatedly offered to our flag; for the Indian hostilities, which she was bound to prevent; for belligerent use made of her ports and territories by our enemy during the late war; and the instantaneous liberation of the free citizens of the United States now imprisoned in her jails. Contemporaneous with that demand, without waiting for her final answer, and with a view to the favorable operation on her councils in regard to our own peculiar interests, as well as in justice to the cause itself, I would recognize any established government in Spanish America. I would have left Spain to draw her own inferences from these proceedings, as to the ultimate step which this country might adopt, if she longer withheld justice from us. And if she persevered in her iniquity, after we have conducted the negotiation in the manner I have endeavored to describe, I would then take up and decide the solemn question of peace or war, with the advantage of all the light shed upon it by subsequent events, and the probable conduct of Europe.

Spain has undoubtedly given us abundant and just cause of war. But it is not every cause of war that should lead to war. War is one of those dreadful scourges that so shakes the foundations of society, overturns or changes the character of governments, interrupts or destroys the pursuits of private happiness, brings, in short, misery and wretchedness in so many forms, and at last is, in its issue, so doubtful and hazardous, that nothing but dire necessity can justify an appeal to arms. If we are to have war with Spain, I

have, however, no hesitation in saying, that no mode of bringing it about could be less fortunate than that of seizing, at this time, upon her adjoining province. There was a time, under certain circumstances, when we might have occupied East Florida with safety ; had we then taken it, our posture in the negotiation with Spain would have been totally different from what it is. But we have permitted that time, not with my consent, to pass by unimproved. If we were now to seize upon Florida, after a great change in those circumstances, and after declaring our intention to acquiesce in the procrastination desired by Spain, in what light should we be viewed by foreign powers, particularly Great Britain? We have already been accused of inordinate ambition, and of seeking to aggrandize ourselves by an extension, on all sides, of our limits. Should we not, by such an act of violence, give color to the accusation? No, Mr. Chairman, if we are to be involved in a war with Spain, let us have the credit of disinterestedness. Let us put her yet more in the wrong. Let us command the respect which is never withheld from those who act a noble and generous part. I hope to communicate to the committee the conviction which I so strongly feel, that the adoption of the amendment which I intend to propose, would not hazard, in the slightest degree, the peace of the country. But if that peace is to be endangered, I would infinitely rather it should be for our exerting the right appertaining to every state, of acknowledging the independence of another state, than for the seizure of a province which, sooner or later, we must certainly acquire.

In contemplating the great struggle in which Spanish America is now engaged, our attention is first fixed by the immensity and character of the country which Spain seeks again to subjugate. Stretching on the Pacific Ocean from about the fortieth degree of north latitude to about the fifty-fifth degree of south latitude, and extending from the mouth of the Rio del Norte, (exclusive of East Florida,) around the Gulf of Mexico, and along the South Atlantic to near Cape Horn ; it is about five thousand miles in length, and in some places near three thousand in breadth. Within this last region we behold the most sublime and interesting objects of creation ; the loftiest mountains, the most majestic rivers in the world ; the richest mines of the precious metals, and the choicest productions of the earth. We behold there a spectacle still more interesting and sublime—the glorious spectacle of eighteen millions of people, struggling to burst their chains and to be free. When we take a little nearer and more detailed view, we perceive that nature has, as it were, ordained that this people and this country shall ultimately constitute several different nations. Leaving the United States on the north, we come to New Spain, or the vice-royalty of Mexico, on the south ; passing by Guatemala, we reach the vice-royalty of New Granada, the late captain-generalship of Venezuela, and Guiana, lying on the east side of the Andes. Stepping over the Brazils, we arrive at the united provinces of La Plata, and crossing the Andes, we find Chili on their west side, and, further north, the vice-royalty of Lima, or Peru. Each of these several parts is sufficient in itself, in point of limits, to constitute a powerful state ; and in point of population, that which has the smallest, contains

enough to make it respectable. Throughout all the extent of that great portion of the world, which I have attempted thus hastily to describe, the spirit of revolt against the dominion of Spain has manifested itself. The revolution has been attended with various degrees of success in the several parts of Spanish America. In some it has been already crowned, as I shall endeavor to show, with complete success, and in all I am persuaded that independence has struck such deep root that the power of Spain can never eradicate it. What are the causes of this great movement.

Three hundred years ago, upon the ruins of the thrones of Montezuma and the Incas of Peru, Spain erected the most stupendous system of colonial despotism that the world has ever seen—the most vigorous, the most exclusive. The great principle and object of this system, has been to render one of the largest portions of the world exclusively subservient, in all its faculties, to the interests of an inconsiderable spot in Europe. To effectuate this aim of her policy, she locked up Spanish America from all the rest of the world, and prohibited, under the severest penalties, any foreigner from entering any part of it. To keep the natives themselves ignorant of each other, and of the strength and resources of the several parts of her American possessions, she next prohibited the inhabitants of one vice-royalty or government from visiting those of another; so that the inhabitants of Mexico, for example, were not allowed to enter the vice-royalty of New Granada. The agriculture of those vast regions was so regulated and restrained as to prevent all collision with the agriculture of the peninsula. Where nature, by the character and composition of the soil, had commanded, the abominable system of Spain has forbidden, the growth of certain articles. Thus the olive and the vine, to which Spanish America is so well adapted, are prohibited, wherever their culture can interfere with the olive and vine of the peninsula. The commerce of the country, in the direction and objects of the exports and imports, is also subjected to the narrow selfish views of Spain—and fettered by the odious spirit of monopoly existing in Cadiz. She has sought by scattering discord among the several castes of her American population, and by a debasing course of education, to perpetuate her oppression. Whatever concerns public law, or the science of government, all writers upon political economy, or that tend to give vigor, and freedom, and expansion to the intellect, are prohibited. Gentlemen would be astonished by the long list of distinguished authors, whom she proscribes, to be found in Depon's and other works. A main feature in her policy, is that which constantly elevates the European and depresses the American character. Out of upward of seven hundred and fifty viceroys and captains general, whom she has appointed since the conquest of America, about eighteen only have been from the body of the American population. On all occasions, she seeks to raise and promote her European subjects, and to degrade and humiliate the Creoles. Wherever in America her sway extends everything seems to pine and wither beneath its baneful influence. The richest regions of the earth; man, his happiness and his education, all the fine faculties of his soul, are regulated, and modified, and moulded to suit the execrable purposes of an inexorable despotism.

Such is a brief and imperfect picture of the state of things in Spanish

America in 1808, when the famous transactions of Bayonne occurred. The King of Spain and the Indies (for Spanish America has always constituted an integral part of the Spanish empire) abdicated his throne and became a voluntary captive. Even at this day, one does not know whether he should most condemn the baseness and perfidy of the one party, or despise the meanness and imbecility of the other. If the obligation of obedience and allegiance existed on the part of the colonies to the king of Spain, it was founded on the duty of protection which he owed them. By disqualifying himself for the performance of this duty they became released from that obligation. The monarchy was dissolved; and each integral part had a right to seek its own happiness, by the institution of any new government adapted to its wants. Joseph Bonaparte, the successor *de facto* of Ferdinand, recognized this right on the part of the colonies, and recommended them to establish their independence. Thus, upon the ground of strict right; upon the footing of a mere legal question, governed by forensic rules, the colonies, being absolved by the acts of the parent country from the duty of subjection to it, had an indisputable right to set up for themselves. But I take a broader and a bolder position. I maintain, that an oppressed people are authorized, whenever they can, to rise and break their fetters. This was the great principle of the English revolution. It was the great principle of our own. Vattel, if authority were wanting, expressly supports this right. We must pass sentence of condemnation upon the founders of our liberty—say that they were rebels—traitors, and that we are at this moment legislating without competent powers, before we can condemn the cause of Spanish America. Our revolution was mainly directed against the mere theory of tyranny. We had suffered comparatively but little; we had, in some respects, been kindly treated; but our intrepid and intelligent fathers saw, in the usurpation of the power to levy an inconsiderable tax, the long train of oppressive acts that were to follow. They rose; they breasted the storm; they achieved our freedom. Spanish America for centuries has been doomed to the practical effects of an odious tyranny. If we were justified, she is more than justified.

I am no propagandist. I would not seek to force upon other nations our principles and our liberty, if they do not want them. I would not disturb the repose even of a detestable despotism. But, if an abused and oppressed people will their freedom; if they seek to establish it; if, in truth, they have established it, we have a right, as a sovereign power, to notice the fact, and to act as circumstances and our interest require. I will say, in the language of the venerated father of my country: "Born in a land of liberty, my anxious recollections, my sympathetic feelings, and my best wishes, are irresistibly excited, whensoever, in any country, I see an oppressed nation unfurl the banners of freedom." Whenever I think of Spanish America, the image irresistibly forces itself upon my mind of an elder brother, whose education has been neglected, whose person has been abused and maltreated, and who has been disinherited by the unkindness of an unnatural parent. And, when I contemplate the glorious struggle which that country is now making, I think I behold that brother rising, by the power and energy of his

fine native genius, to the manly rank which nature and nature's God, intended for him.

If Spanish America be entitled to success from the justness of her cause, we have no less reason to wish that success from the horrible character which the royal arms have given to the war. More atrocities than those which have been perpetrated during its existence, are not to be found even in the annals of Spain herself. And history, reserving some of her blackest pages for the name of Morillo, is prepared to place him by the side of his great prototype, the infamous desolater of the Netherlands. He who has looked into the history of the conduct of this war, is constantly shocked at the revolting scenes which it portrays; at the refusal, on the part of the commanders of the royal forces, to treat, on any terms, with the other side; at the denial of quarters; at the butchery, in cold blood, of prisoners; at the violation of flags, in some cases, after being received with religious ceremonies; at the instigation of slaves to rise against their owners; and at acts of wanton and useless barbarity. Neither the weakness of the other sex, nor the imbecility of old age, nor the innocence of infants, nor the reverence due to the sacerdotal character, can stay the arm of royal vengeance. On this subject I beg leave to trouble the committee with reading a few passages from a most authentic document, the manifesto of the Congress of the United Provinces of Rio de la Plata, published in October last. This is a paper of the highest authority; it is an appeal to the world; it asserts facts of notoriety in the face of the whole world. It is not to be credited that the Congress would come forward with a statement which was not true, when the means, if it were false, of exposing their fabrications, must be so abundant and so easy to command. It is a document, in short, that stands upon the same footing of authority with our own papers, promulgated during the Revolution by our Congress, I will add, that many of the facts which it affirms are corroborated by most respectable historical testimony, which is in my own possession.

"Memory shudders at the recital of the horrors that were committed by Goyeneche in Cochabamba. Would to heaven it were possible to blot from remembrance the name of that ungrateful and blood-thirsty American; who on the day of his entry, ordered the virtuous Governor and Intendant, Antesana, to be shot; who, beholding from the balcony of his house that infamous murder, cried out with a ferocious voice to the soldiers, that they must not fire at the head, because he wanted it to be affixed to a pole; and who, after the head was taken off, ordered the cold corpse to be dragged through the streets; and by a barbarous decree, placed the lives and fortunes of the citizens at the mercy of his unbridled soldiery, leaving them to exercise their licentious and brutal sway during several days! But those blind and cruelly capricious men (the Spaniards) rejected the mediation of England, and despatched rigorous orders to all the generals, to aggravate the war, and to punish us with more severity. The scaffolds were everywhere multiplied, and invention was racked to devise means for spreading murder, distress, and consternation.

"Thenceforth they made all possible efforts to spread division among us, to incite us to mutual extermination; they have slandered us with the most atrocious calumnies, accusing us of plotting the destruction of our holy religion, the abolition of all morality, and of introducing licentiousness of manners. They wage a religious war against us, contriving a thousand artifices to disturb and alarm the consciences of the people,

making the Spanish bishops issue decrees of ecclesiastical condemnation, public excommunications, and disseminating through the medium of some ignorant confessor, fanatical doctrines in the tribunal of penitence. By means of these religious discords they have divided families against themselves; they have caused disaffection between parents and children; they have dissolved the tender ties which unite man and wife; they have spread rancor and implacable hatred between brothers most endeared, and they have presumed to throw all nature into discord.

"They have adopted the system of murdering men indiscriminately, to diminish our numbers; and, on their entry into towns, they have swept off all, even the market people, leading them to the open squares, and there shooting them one by one. The cities of Chuquisaca and Cochabamba have more than once been the theaters of these horrid slaughters.

"They have intermixed with their troops, soldiers of ours whom they had taken prisoners, carrying away the officers in chains, to garrisons where it is impossible to preserve health for a year—they have left others to die in their prisons of hunger and misery, and others they have forced to hard labor on the public works. They have exultingly put to death our bearers of flags of truce, and have been guilty of the blackest atrocities to our chiefs, after they had surrendered; as well as to other principal characters, in disregard of the humanity with which we treated prisoners; as a proof of it witness the deputy Mutes of Potosi, the captain-general Pumacagua, General Augulo, and his brother commandant Munecas and other partisan chiefs, who were shot in cold blood, after having been prisoners for several days.

"They took a brutal pleasure in cropping the ears of the natives of the town of Ville-grande, and sending a basket full of them as presents to the head quarters. They afterward burnt that town and set fire to thirty other populous towns of Peru, and worse than the worst of savages, shutting the inhabitants up in the houses before setting them on fire, that they might be burnt alive.

They have not only been cruel and unsparing in their mode of murder, but they have been void of all morality and public decency, causing aged ecclesiastics and women to be lashed to a gun, and publicly flogged with the abomination of first having them stripped, and their nakedness exposed to shame, in the presence of their troops.

"They established an inquisitorial system in all these punishments; they have seized on peaceable inhabitants, and transported them across the sea, to be judged for suspected crimes, and they have put a great number of citizens to death everywhere, without accusation or the form of a trial.

"They have invented a crime of unexampled horror, in poisoning our water and provisions, when they were conquered by General Pineto at La Paz; and in return for the kindness with which we treated them, after they had surrendered at discretion, they had the barbarity to blow up the head-quarters, under which they had constructed a mine, and prepared a train beforehand.

"He has branded us with the stigma of rebels, the moment he returned to Madrid; he refused to listen to our complaints, or to receive our supplications; and as an act of extreme favor, he offered us pardon. He confirmed the viceroys, governors, and generals whom he found actually gladdened with carnage. He declared us guilty of a high misdemeanor for having dared to frame a constitution for our own government, free from the control of a deified, absolute, and tyrannical power, under which we had groaned three centuries; a measure that could be offensive only to a prince, an enemy to justice and beneficence, and consequently unworthy to rule over us.

"He then undertook, with the aid of his ministers, to equip large military armaments to be directed against us. He caused numerous armies to be sent out to consummate the work of devastation, fire and plunder.

"He has sent his generals, with certain decrees of pardon, which they publish to deceive the ignorant, and induce them to facilitate their entrance into towns, while at the same time he has given them other secret instructions, authorizing them, as soon as they could get possession of a place, to hang, burn, confiscate, and sack; to encourage private assassinations—and to commit every species of injury in their power, against the deluded beings who had confided in his pretended pardon. It is in the name of Ferdinand of Bourbon that the heads of patriot officers, prisoners, are fixed up in the highways, that they beat and stoned to death a commandant of light troops, and that, after having killed Colonel Camugo, in the same manner by the hands of the indecent Centeno, they cut off his head and sent it as a present to General Pazuela, telling him it was a miracle of the virgin of the Carmelites."

In the establishment of the independence of Spanish America, the United States have the deepest interest. I have no hesitation in asserting my firm belief, that there is no question in the foreign policy of this country, which has ever arisen, or which I can conceive as ever occurring, in the decision of which we have had or can have so much at stake. This interest concerns our politics, our commerce, our navigation. There cannot be a doubt that Spanish America, once independent, whatever may be the form of the government established in its several parts, these governments will be animated by an American feeling, and guided by an American policy. They will obey the laws of the system of the New World of which they will compose a part, in contradistinction to that of Europe. Without the influence of that vortex in Europe, the balance of power between its several parts, the preservation of which has so often drenched Europe in blood, America is sufficiently remote to contemplate the new wars which are to afflict that quarter of the globe, as a calm if not a cold and indifferent spectator. In relation to those wars, the several parts of America will generally stand neutral. And as during the period when they rage, it will be important that a liberal system of neutrality should be adopted and observed, all America will be interested in maintaining and enforcing such a system. The independence then of Spanish America is an interest of primary consideration. Next to that and highly important in itself, is the consideration of the nature of their governments. That is a question however, for themselves. They will, no doubt, adopt those kinds of governments which are best suited to their condition, best calculated for their happiness. Anxious as I am that they should be free governments, we have no right to prescribe for them. They are and ought to be the sole judges for themselves. I am strongly inclined to believe that they will in most, if not all parts of their country, establish free governments. We are their great example. Of us they constantly speak as of brothers, having a similar origin. They adopt our principles, copy our institutions, and, in many instances, employ the very language and sentiments of our revolutionary papers.

Having then been thus impelled by the Spaniards and their king, we have calculated all the consequences, and have constituted ourselves independent, prepared to exercise the right of nature to defend ourselves against the ravages of tyranny, at the risk of our honor, our lives, and fortune. We have sworn to the only King we acknowledge, the supreme Judge of the world, that we will not abandon the cause of justice; that we will not suffer the country which he has given us to be buried in ruins, and inundated with blood, by the hands of the executioner," etc.

But it is sometimes said that they are too ignorant and too superstitious to admit of the existence of free government. This charge of ignorance is often urged by persons themselves actually ignorant of the real condition of that people. I deny the alleged fact of ignorance; I deny the inference from that fact, if it were true, that they want capacity for free government; and I refuse assent to the further conclusion, if the fact were true, and the inference just, that we are to be indifferent to their fate. All the writers of the most established authority, Depons, Humboldt, and others, concur in assigning to the people of Spanish America, great quickness, genius, and particular aptitude for the acquisition of the exact sciences, and others which they have been allowed to cultivate. In astronomy, geology mineralogy, chemistry, botany, etc., they are allowed to make distinguished proficiency. They justly boast of their Abzate, Velsques, and Gama, and other illustrious contributors to science. They have nine universities, and in the city of Mexico, it is affirmed by Humboldt, that there are more solid scientific establishments than in any city even of North America. I would refer to the message of the supreme director of La Plata, which I shall hereafter have occasion to use for another purpose, as a model of fine composition of a state paper, challenging a comparison with any, the most celebrated that ever issued from the pens of Jefferson or Madison. Gentlemen will egregiously err if they form their opinions of the present moral condition of Spanish America, from what it was under the debasing system of Spain. The eight year's revolution in which it has been engaged, has already produced a powerful effect. Education has been attended to and genius developed.

"As soon as the project of the revolution arose on the shores of La Plata, genius and talent exhibited their influence; the capacity of the people became manifest, and the means of acquiring knowledge were soon made the favorite pursuit of the youth. As far as the wants or the inevitable interruption of affairs has allowed, everything has been done to disseminate useful information. The liberty of the press has indeed met with some occasional checks; but in Buenos Ayres alone, as many periodical works issue from the press as in Spain and Portugal put together."

The fact is not therefore true that the imputed ignorance exists; but, if it do, I repeat, I dispute the inference. It is the doctrine of thrones, that man is too ignorant to govern himself. Their partizans assert his incapacity in reference to all nations; if they cannot command universal assent to the proposition, it is then demanded as to particular nations; and our pride and our presumption too often make converts of us. I contend that it is to arraign the dispositions of Providence himself, to suppose that he has created beings incapable of governing themselves, and to be trampled on by kings. Self-government is the natural government of man, and for proof I refer to the aborigines of our own land. Were I to speculate in hypotheses unfavorable to human liberty, my speculations should be founded rather upon the vices, refinements, or density of population. Crowded together in compact masses, even if they were philosophers, the contagion of passions is communicated and caught, and the effect too often, I admit, is the overthrow of liberty. Dispersed over such an immense space as that on which

the people of Spanish America are spread, their physical, and I believe also their moral condition, both favor their liberty.

With regard to their superstition, they worship the same God with us. Their prayers are offered up in their temples to the same Redeemer, whose intercession we expect to save us. Nor is there anything in the Catholic religion unfavorable to freedom. All religions united with government are more or less inimical to liberty. All separated from government are compatible with liberty. If the people of Spanish America have not already gone as far, in religious toleration, as we have, the difference in their condition from ours should not be forgotten. Everything is progressive; and, in time I hope to see them imitating, in this respect our example. But grant that the people of Spanish America are ignorant and incompetent for free government, to whom is that ignorance to be ascribed? Is it not to the execrable system of Spain, which she seeks again to establish and to perpetuate? So far from chilling our hearts, it ought to increase our solicitude for our unfortunate brethren. It ought to animate us to desire the redemption of the minds and the bodies of unborn millions from the brutifying effects of a system whose tendency is to stifle the faculties of the soul, and to degrade man to the level of beasts. I would invoke the spirits of our departed fathers. Was it for yourselves only that you nobly fought! No no! It was the chains that were forging for your posterity that made you fly to arms, and scattering the elements of these chains to the winds, you transmitted to us the rich inheritance of liberty.

The exports of Spanish America (exclusive of those of the islands) are estimated in the valuable little work of M. Torres, deserving to be better known, at about eighty-one millions of dollars. Of these more than three-fourths consist of the precious metals. The residue are cocoa, coffee, cochineal, sugar, and some other articles. No nation ever offered richer commodities in exchange. It is of no material consequence that we produce but little that Spanish America wants. Commerce, as it actually exists, in the hands of maritime states, is no longer confined to a mere barter, between any two states, of their respective productions. It renders tributary to its interests the commodities, of all quarters of the world; so that a rich American cargo, or the contents of an American commercial warehouse, present you with whatever is rare or valuable in every part of the globe. Commerce is not to be judged by its results in transactions with one nation only. Unfavorable balances existing with one state are made up by contrary balances with other states, and its true value should be tested by the totality of its operations. Our greatest trade—that with Great Britain, judged by the amount of what we sell for her consumption, and what we buy of her for ours, would be pronounced ruinous. But the unfavorable balance is covered by the profits of trade with other nations. We may safely trust to the daring enterprise of our merchants. The precious metals are in South America, and they will command the articles wanted in South America, which will purchase them. Our navigation will be benefited by the transportation, and our country will realize the mercantile profits. Already the item in our exports of American manufactures is respectable. They go

chiefly to the West Indies and to Spanish America. This item is constantly augmenting. And I would again, as I have on another occasion, ask gentlemen to elevate themselves to the actual importance and greatness of our republic; to reflect, like true American statesmen, that we are not legislating for the present day only; and to contemplate this country in its march to true greatness, when millions and millions will be added to our population, and when the increased productive industry will furnish an infinite variety of fabrics for foreign consumption, in order to supply our own wants. The distribution of the precious metals has hitherto been principally made through the circuitous channel of Cadiz. No one can foresee all the effects which will result from a direct distribution of them from the mines which produce them. One of these effects will probably be to give us the entire command of the Indian trade. The advantage we have on the map of the world over Europe, in that respect, is prodigious. Again, if England persisting in her colonial monopoly, continues to exclude her ports in the West Indies to us, and we should, as I contend we ought, meet her system by a countervailing measure, Venezuela, New Granada, and other parts of Spanish America, would afford us all we get from the British West Indies. I confess that I despair, for the present, of adopting that salutary measure. It was proposed at the last session, and postponed. During the present session it has been again proposed, and I fear, will be again postponed. I see and I own it with infinite regret, a tone and a feeling in the counsels of the country infinitely below that which belongs to the country. It is perhaps the moral consequence of the exertions of the late war. We are alarmed at dangers, we know not what; by spectres conjured up by our own vivid imaginations.

The West India bill is brought up. We shrug our shoulders, talk of restrictions, non-intercourse, embargo, commercial warfare, make long faces, and—postpone the bill. The time will however come, must come, when this country will not submit to a commerce with the British colonies upon the terms which England alone prescribes. And, I repeat, when it arrives, Spanish America will afford us an ample substitute. Then, as to our navigation; gentlemen should recollect that, if reasoning from past experience were safe for the future, our great commercial rival will be in war a greater number of years than she will be in peace. Whenever she shall be at war, and we are in peace, our navigation being free from the risks and insurance incident to war, we shall engross almost the whole transportation of the Spanish American commerce. For I do not believe that that country will ever have a considerable marine. Mexico, the most populous part of it, has but two ports, La Vera Cruz and Acapulca, and neither of them very good. Spanish America has not the elements to construct a marine. It wants, and must always want, hardy seamen. I do not believe that in the present improved state of navigation, any nation, so far south will ever make a figure as maritime powers. If Carthage and Rome in ancient times, and some other states of a later period, occasionally made great exertions on the water, it must be recollected that they were principally on a small theater, and in a totally different state of the art of navigation, or when there was no competition from Northern States.

I am aware that, in opposition to the interest which I have been endeavoring to manifest, that this country has in the independence of Spanish America, it is contended that we shall find that country a great rival in agricultural productions. There is something so narrow, and selfish, and grovelling in this argument, if founded in fact, something so unworthy the magnanimity of a great and a generous people, that I confess I have scarcely patience to notice it. But it is not true to any extent. Of the eighty odd millions of exports, only about one million and a half consist of an article which can come into competition with us, and that is cotton. The tobacco which Spain derives from her colonies is chiefly produced in her islands. Breadstuffs can nowhere be raised and brought to market in any amount materially affecting us. The table lands of Mexico, owing to their elevation, are, it is true, well adapted to the culture of grain; but the expense and difficulty of getting 'it to the Gulf of Mexico, and the action of the intense heat at La Vera Cruz, the only port of exportation, must always prevent Mexico from being an alarming competitor. Spanish America is capable of producing articles so much more valuable than those which we raise, that it is not probable they will abandon a more profitable for a less advantageous culture, to come into competition with us. The West India Islands are well adapted to the raising of cotton; and yet the more valuable culture of coffee and sugar is constantly preferred. Again, Providence has so ordered it, that, with regard to countries producing articles apparently similar, there is some peculiarity, resulting from climate, or from some other cause, that gives to each an appropriate place in the general wants and consumption of mankind. The southern part of the continent, La Plata and Chili, is too remote to rival us.

The immense country watered by the Mississippi and its branches has a peculiar interest, which I trust I shall be excused for noticing. Having but the single vent of New Orleans for all the surplus produce of their industry, it is quite evident that they would have a greater security for enjoying the advantages of that outlet, if the independence of Mexico upon any European power were effected. Such a power, owning at the same time Cuba, the great key of the Gulf of Mexico, and all the shores of that gulf with the exception of the portion between the Perdido and the Rio del Norte, must have a powerful command over our interests. Spain, it is true, is not a dangerous neighbor at present, but, in the vicissitudes of states, her power may be again resuscitated.

Having shown that the cause of the patriots is just, and that we have a great interest in its successful issue, I will next inquire what course of policy it becomes us to adopt. I have already declared it to be one of strict and impartial neutrality. It is not necessary for their interest, it is not expedient for our own, that we should take part in the war. All they demand of us is a just neutrality. It is compatible with this pacific policy—it is required by it, that we should recognise any established government, if there be any established government in Spanish America. Recognition alone, without aid, is no just cause of war. With aid, it is, not because of the recognition, but because of the aid, as aid, without recognition, is cause of war. The truth of these

propositions I will maintain upon principle, by the practice of other states, and by the usage of our own. There is no common tribunal among nations, to pronounce upon the fact of the sovereignty of a new state. Each power does and must judge for itself. It is an attribute of sovereignty so to judge. A nation, in exerting this incontestable right—in pronouncing upon the independence, in fact, of a new state, takes no part in the war. It gives neither men, nor ships, nor money. It merely pronounces that, in so far as it may be necessary to institute any relations or to support any intercourse, with the new power, that power is capable of maintaining those relations, and authorizing that intercourse. Martens and other publicists lay down these principles.

When the United Provinces formerly severed themselves from Spain, it was about eighty years before their independence was finally recognised by Spain. Before that recognition, the United provinces had been received by all the rest of Europe into the family of nations. It is true that a war broke out between Philip and Elizabeth, but it proceeded from the aid which she determined to give and did give, to Holland. In no instance, I believe, can it be shown, from authentic history, that Spain made war upon any power on the sole ground that such power had acknowledged the independence of the United Provinces.

In the case of our own revolution, it was not until after France had given us aid, and had determined to enter into a treaty of alliance with us—a treaty by which she guaranteed our independence—that England declared war. Holland also was charged by England with favoring our cause, and deviating from the line of strict neutrality. And, when it was perceived that she was moreover about to enter into a treaty with us, England declared war. Even if it were shown that a proud, haughty, and powerful nation like England, had made war upon other provinces on the ground of a mere recognition, the single example could not alter the public law, or shake the strength of a clear principle.

But what has been our uniform practice? We have constantly proceeded on the principle, that the government *de facto* is that we can alone notice. Whatever form of government any society of people adopts, whoever they acknowledge as their sovereign, we consider that government or that sovereign as the one to be acknowledged by us. We have invariably abstained from assuming a right to decide in favor of the sovereign *de jure*, and against the sovereign *de facto*. That is a question for the nation in which it arises to determine. And so far as we are concerned, the sovereign *de facto* is the sovereign *de jure*. Our own revolution stands on the basis of the right of a people to change their rulers. I do not maintain that every immature revolution, every usurper before his power is consolidated, is to be acknowledged by us; but that as soon as stability and order are maintained, no matter by whom, we always have considered, and ought to consider, the actual as the true government. General Washington, Mr. Jefferson, Mr. Madison, all, while they were respectively presidents, acted on these principles.

In the case of the French republic, General Washington did not wait until

some of the crowned heads of Europe should set him the example of acknowledging it, but accredited a minister at once. And it is remarkable that he was received before the government of the republic was considered as established. It will be found in Marshall's Life of Washington, that when it was understood that a minister from the French Republic was about to present himself, President Washington submitted a number of questions to his cabinet for their consideration and advice, one of which was, whether, upon the reception of the minister, he should be notified that America would suspend the execution of the treaties between the two countries until France had an established government. General Washington did not stop to inquire whether the descendants of St. Louis were to be considered as the legitimate sovereigns of France, and if the revolution was to be regarded as unauthorized resistance to their sway. He saw France, in fact, under the government of those, who had subverted the throne of the Bourbons, and he acknowledged the actual government. During Mr. Jefferson and Mr. Madison's administrations, when the Cortes of Spain and Joseph Bonaparte respectively contended for the crown, those enlightened statesmen said, "We will receive a minister from neither party; settle the question between yourselves, and we will acknowledge the party that prevails. We have nothing to do with your feuds: whoever all Spain acknowledges as her sovereign, is the only sovereign with whom we can maintain any relations." Mr. Jefferson, it is understood, considered whether he should not receive a minister from both parties, and finally decided against it because of the inconveniences to this country, which might result from the double representation of another power. As soon as the French armies were expelled from the Peninsula, Mr. Madison, still acting on the principle of the government *de facto* received the present minister from Spain. During all the phases of the French government, republic, directory, consuls, consul for life, emperor, king, emperor again, king, our government has uniformly received the minister.

If, then, there be an established government in Spanish America, deserving to rank among the nations, we are morally and politically bound to acknowledge it, unless we renounce all the principles which ought to guide, and which hitherto have guided our councils. I shall now undertake to show, that the United Provinces of the Rio de la Plata possess such a government. Its limits, extending from the South Atlantic Ocean to the Pacific, embrace a territory equal to that of the United States, certainly equal to it, exclusive of Louisiana. Its population is about three millions, more than equal to ours at the commencement of our revolution. That population is a hardy, enterprising, and gallant population. The establishments of Montevideo and Buenos Ayres have, during different periods of their history, been attacked by the French, Dutch, Danes, Portuguese, English, and Spanish; and such is the martial character of the people, that in every instance the attack has been repulsed. In 1807, General Whitlocke, commanding a powerful English army, was admitted, under the guise of a friend, into Buenos Ayres, and as soon as he was supposed to have demonstrated inimical designs, he was driven by the native and unaided force of Buenos Ayres

from the country. Buenos Ayres has, during now nearly eight years, been in point of fact in the enjoyment of self-government. The capital, containing more than sixty thousand inhabitants, has never been once lost. As early as 1811, the regency of Old Spain made war upon Buenos Ayres, and the consequence subsequently was, the capture of a Spanish army in Montevideo, equal to that of Burgoyne. This government has now, in excellent discipline, three well appointed armies, with the most abundant material of war; the army of Chili, the army of Peru, and the army of Buenos Ayres. The first, under San Martin, has conquered Chili; the second is penetrating in a northwestern direction from Buenos Ayres, into the vice-royalty of Peru; and according to the last accounts, had reduced the ancient seat of empire of the Incas. The third remains at Buenos Ayres to oppose any force which Spain may send against it. To show the condition of the country in July last, I again call the attention of the committee to the message of the supreme director, delivered to the Congress of the United Provinces. It is a paper of the same authentic character with the speech of the king of England on opening his parliament, or the message of the President of the United States at the commencement of Congress.

"The army of this capital was organized at the same time with those of the Andes and of the interior; the regular force has been nearly doubled; the militia has made great progress in military discipline; our slave population has been formed into battalions; and taught the military art as far as is consistent with their condition. The capital is under no apprehension that an army of ten thousand men can shake its liberties and should the Peninsularians send against us thrice that number, ample provision has been made to receive them.

"Our navy has been fostered in all its branches. The scarcity of means under which we labored until now, has not prevented us from undertaking very considerable operations, with respect to the national vessels; all of them have been repaired, and others have been purchased and armed, for the defence of our coasts and rivers; provisions have been made, should necessity require it, for arming many more, so that the enemy will not find himself secure from our reprisals even upon the ocean.

"Our military force, at every point which it occupies, seem to be animated with the same spirit; its tactics are uniform, and have undergone a rapid improvement from the science of experience, which it has borrowed from warlike nations.

"Our arsenals have been replenished with arms, and a sufficient store of cannon and munitions of war have been provided to maintain the contest for many years; and this, after having supplied articles of every description to those districts, which have not as yet come into Union, but whose connexion with us has been only intercepted by reason of our past misfortune.

"Our legions daily receive considerable augmentations from new levies; all our preparations have been made, as though we were about to enter upon the contest anew. Until now, the vastness of our resources was unknown to us, and our enemies may contemplate, with deep mortification and despair, the present flourishing state of these provinces after so many devastations.

"While thus occupied in providing for our safety within, and preparing for assaults from without, other objects of solid interest have not been neglected, and which hitherto were thought to oppose insurmountable obstacles.

"Our system of finance had hitherto been on a footing entirely inadequate to the unfailling supply of our wants, and still more to the liquidation of the immense debt which had been contracted in former years. An unrepented application to this object,

has enabled me to create the means of satisfying the creditors of the state who had already abandoned their debts as lost, as well as to devise a fixed mode, by which the taxes may be made to fall equally and indirectly on the whole mass of our population; it is not the least merit of this operation, that it has been effected in despite of the writings by which it was attacked, and which are but little creditable to the intelligence and good intentions of their authors. At no other period have the public exigencies been so punctually supplied, nor have more important works been undertaken.

"The people, moreover, have been relieved from many burdens, which being partial or confined to particular classes, had occasioned vexation and disgust. Other vexations, scarcely less grievous, will by degrees be also suppressed, avoiding as far as possible, a recurrence to loans, which have drawn after them the most fatal consequences to states. Should we, however, be compelled to resort to such expedients, the lenders will not see themselves in danger of losing their advances.

"Many undertakings have been set on foot for the advancement of the general prosperity. Such has been the re-establishing of the college, heretofore named San Carlos, but hereafter to be called the Union of the South, as a point designated for the dissemination of learning to the youth of every part of the state, on the most extensive scale, for the attainment of which object the government is at the present moment engaged in putting in practice every possible diligence. It will not be long before these nurseries will flourish, in which the liberal and exact sciences will be cultivated, in which the hearts of those young men will be formed, who are destined at some future day to add new splendor to our country.

"Such has been the establishment of a military depot on the frontier, with its spacious magazine, a necessary measure to guard us from future dangers, a work which does more honor to the prudent foresight of our country, as it was undertaken in the moment of its prosperous fortunes, a measure which must give more occasion for reflection to our enemies than they can impose upon us by their boastings.

"Fellow-citizens, we owe our unhappy reverses and calamities to the depraving system of our ancient metropolis, which, in condemning us to the obscurity and opprobrium of the most degraded destiny, has sown with thorns the path that conducts us to liberty. Tell that metropolis that even she may glory in your works! Already have you cleared all the rocks, escaped every danger, and conducted these provinces to the flourishing condition in which we now behold them. Let the enemies of your name contemplate with despair the energies of your virtues, and let the nations acknowledge that you already appertain to their illustrious rank. Let us felicitate ourselves on the blessings we have already obtained, and let us show to the world that we have learned to profit by the experience of our past misfortunes."

There is a spirit of bold confidence running through this fine state paper, which nothing but conscious strength could communicate. Their armies, their magazines, their finances, are on the most solid and respectable footing. And, amidst all the cares of war, and those incident to the consolidation of their new institutions, leisure is found to promote the interests of science, and the education of the rising generation. It is true, the first part of the message portrays scenes of difficulty and commotion, the usual attendants upon revolution. The very avowal of their troubles manifests, however, that they are subdued. And what state, passing through the agitation of a great revolution, is free from them? We had our Tories, our intrigues, our factions. More than once were the affections of the country, and the confidence of our councils, attempted to be shaken in the great father of our liberties. Not a Spanish bayonet remains within the immense extent of the territories of the La Plata to contest the authority of the actual government. It is

free, it is independent, it is sovereign. It manages the interests of the society that submits to its sway. It is capable of maintaining the relations between that society and other nations.

Are we not bound, then, upon our own principles, to acknowledge this new republic? If we do not, who will? Are we to expect that kings will set us the example of acknowledging the only republic on earth, except our own? We receive, promptly receive, a minister from whatever king sends us one. From the great powers and the little powers we accredit ministers. We do more: we hasten to reciprocate the compliment; and anxious to manifest our gratitude for royal civility, we send for a minister (as in the case of Sweden and the Netherlands) of the lowest grade, one of the highest rank recognised by our laws. We are the natural head of the American family. I would not intermeddle in the affairs of Europe. We wisely keep aloof from their broils. I would not even intermeddle in those of other parts of America, further than to exert the incontestable rights appertaining to us as a free, sovereign, and independent power; and, I contend, that the accrediting of a minister from the new republic is such a right. We are bound to receive their minister, if we mean to be really neutral. If the royal belligerent is represented and heard at our government, the republican belligerent ought also to be heard. Otherwise, one party will be in the condition of the poor patriots who were tried *ex-parte* the other day in the Supreme Court, without counsel, without friends. Give Mr. Onís his *conge*, or receive the republican minister. Unless you do so, your neutrality is nominal.

I will next proceed to inquire into the consequences of a recognition of the new republic. Will it involve us in war with Spain? I have shown, I trust successfully shown, that there is no just cause of war to Spain. Being no cause of war, we have no right to expect that war will ensue. If Spain, without cause, will make war, she may make it whether we do or do not acknowledge the republic. But she will not, because she cannot, make war against us. I call the attention of the committee to a report of the minister of the Hacienda to the king of Spain, presented about eight months ago. A more beggarly account of empty boxes was never rendered. The picture of Mr. Dallas, sketched in his celebrated report during the last war, may be contemplated without emotion, after surveying that of Mr. Gary. The expenses of the current year required eight hundred and thirty millions two hundred and sixty-seven thousand eight hundred and twenty-nine reals, and the deficit of the income is represented as two hundred and thirty-three millions one hundred and forty thousand nine hundred and thirty-two reals. This, beside an immense mass of unliquidated debt, which the minister acknowledges the utter inability of the country to pay, although bound in honor to redeem it. He states that the vassals of the king are totally unable to submit to any new taxes, and the country is without credit, so as to render anticipation by loans wholly impracticable. Mr. Gary appears to be a virtuous man, who exhibits frankly the naked truth; and yet such a minister acknowledges, that the decorum due to one single family, that of the monarch, does not admit, in this critical condition of his country, any

reduction of the enormous sum of upward of fifty-six millions of reals, set apart to defray the expenses of that family ! He states that a foreign war would be the greatest of all calamities, and one which, being unable to provide for it, they ought to employ every possible means to avert. He proposed some inconsiderable contribution from the clergy, and the whole body was instantly in an uproar. Indeed, I have no doubt that, surrounded as Mr. Gary is, by corruption, by intrigue, and folly, and imbecility, he will be compelled to retire, if he has not already been dismissed, from a post for which he has too much integrity. It has been now about four years since the restoration of Ferdinand ; and if, during that period, the whole energies of the monarchy have been directed unsuccessfully against the weakest and most vulnerable of all the American possessions, Venezuela, how is it possible for Spain to encounter the difficulties of a new war with this country ? Morillo has been sent out with one of the finest armies that has ever left the shores of Europe—consisting of ten thousand men, chosen from all the veterans who have fought in the Peninsula. It has subsequently been reinforced with about three thousand more. And yet, during the last summer, it was reduced, by the sword and the climate, to about four thousand effective men. And Venezuela, containing a population of only about one million, of which near two-thirds are persons of color, remains unsubdued. The little islands of Margaritta, whose population is less than twenty thousand inhabitants—a population fighting for liberty with more than Roman valor—has compelled that army to retire upon the main. Spain, by the late accounts, appeared to be deliberating upon the necessity of resorting to that measure of conscription for which Bonaparte has been so much abused. The effect of a war with this country would be to ensure success, beyond all doubt, to the cause of American independence. Those parts even, over which Spain has some prospect of maintaining her dominions, would probably be put in jeopardy. Such a war would be attended with the immediate and certain loss of Florida. Commanding the Gulf of Mexico, as we should be enabled to do by our navy, blockading the port of Havana, the port of La Vera Cruz, and the coast of Terra Firma, and throwing munitions of war into Mexico, Cuba would be menaced—Mexico emancipated—and Morillo's army deprived of supplies, now drawn principally from this country through the Havana, compelled to surrender. The war, I verily believe would be terminated in less than two years, supposing no other power to interpose.

Will the allies interfere ? If, by the exertion of an unquestionable attribute of a sovereign power, we should give no just cause of war to Spain herself, how can it be pretended that we should furnish even a specious pretext to the allies for making war upon us ? On what ground could they attempt to justify a rupture with us, for the exercise of a right which we hold in common with them, and with every other independent state ? But we have a surer guarantee against their hostility, in their interests. That all the allies, who have any foreign commerce, have an interest in the independence of Spanish America, is perfectly evident. On what ground, I ask, is it likely, then, that they would support Spain, in opposition to their own decided

interest? To crush the spirit of revolt, and prevent the progress of free principles? Nations, like individuals, do not sensibly feel, and seldom act upon dangers which are remote either in time or place. Of Spanish America, but little is known by the great body of the population of Europe. Even in this country, the most astonishing ignorance prevails respecting it. Those European statesmen who are acquainted with the country, will reflect, that, tossed by a great revolution, it will most probably constitute four or five several nations, and that the ultimate modification of all their various governments is by no means absolutely certain. But I entertain no doubt that the principle of cohesion among the allies is gone. It was annihilated in the memorable battle of Waterloo. When the question was, whether one should engross all, a common danger united all. How long was it, even with a clear perception of that danger, before an effective coalition could be formed? How often did one power stand by, unmoved and indifferent to the fate of its neighbor, although the destruction of that neighbor removed the only barrier to an attack upon itself? No; the consummation of the cause of the allies was, and all history and all experience will prove it, the destruction of the alliance. The principle is totally changed. It is no longer a common struggle against the colossal power of Bonaparte, but it has become a common scramble for the spoils of his empire. There may, indeed, be one or two points on which a common interest still exists, such as the convenience of subsisting their armies on their vitals of poor suffering France. But as for action—for new enterprises, there is no principle of unity, there can be no accordance of interests, or of views, among them.

What is the condition in which Europe is left after all its efforts? It is divided into two great powers, one having the undisputed command of the land—the other of the water. Paris is transferred to St. Petersburg, and the navies of Europe are at the bottom of the sea, or concentrated in the ports of England. Russia—that huge land animal—awing by the dread of her vast power all continental Europe, is seeking to encompass the Porte; and constituting herself the kraken of the ocean, is anxious to lave her enormous sides in the more genial waters of the Mediterranean. It is said, I know, that she has indicated a disposition to take part with Spain. No such thing. She has sold some old worm-eaten, decayed fir-built ships to Spain, but the crews which navigate them are to return from the port of delivery, and the *bonus* she is to get, I believe to be the island of Minorca, in conformity with the cardinal point of her policy. France is greatly interested in whatever would extend her commerce, and regenerate her marine, and consequently, more than any other power of Europe, England alone excepted, is concerned in the independence of Spanish America. I do not despair of France, so long as France has a legislative body, collected from all its parts, the great repository of its wishes and its will. Already has that body manifested a spirit of considerable independence. And, those who, conversant with French history, know what magnanimous stands have been made by the parliaments, bodies of limited extent, against the royal prerogative, will be able to appreciate justly the moral force of such a legislative body. While it exists, the true interests of France will be cherished and

pursued on points of foreign policy, in opposition to the pride and interests of the Bourbon family, if the actual dynasty, impelled by this pride, should seek to subserve these interests.

England finds, that, after all her exertions, she is everywhere despised on the continent; her maritime power viewed with jealousy; her commerce subjected to the most onerous restrictions; selfishness imputed to all her policy. All the accounts from France represent that every party, Bonapartists, Jacobins, Royalists, Moderes, Ultras, all burn with indignation toward England, and part for an opportunity to avenge themselves on the power to whom they ascribe all their disasters.

[Here Mr. C. read a part of a letter which he had just received from an intelligent friend at Paris, and which composed only a small portion of the mass of evidence to the same effect which had come under his notice.]

It is impossible, that with powers, between whom so much cordial dislike, so much incongruity exists, there can be any union or concert. Whilst the free principles of the French revolution remained; those principles which were so alarming to the stability of thrones; there never was any successful or cordial union; coalition after coalition, wanting the spirit of union, was swept away by the overwhelming power of France. It was not until those principles were abandoned, and Bonaparte had erected on their ruins his stupendous fabric of universal empire—nor indeed until after the frosts of Heaven favored the cause of Europe, that an effective coalition was formed. No, the complaisance inspired in the allies from unexpected if not undeserved success may keep them nominally together; but for all purposes of united and combined action, the alliance is gone; and I do not believe in the chimera of their crusading against the independence of a country, whose liberation would essentially promote all their respective interests.

But the question of the interposition of the allies, in the event of our recognising the new Republic, resolves itself into a question whether England, in such event, would make war upon us: if it can be shown that England would not, it results either that the other allies would not, or that if they should, in which case England would most probably support the cause of America, it would be a war without the maritime ability to maintain it. I contend that England is alike restrained by her honor and by her interests from waging war against us, and consequently against Spanish America, also, for an acknowledgment of the independence of the new state. England encouraged and fomented the revolt of the colonies as early as June, 1797. Sir Thomas Picton, governor of Trinidad, in virtue of orders from the British minister of foreign affairs, issued a proclamation, in which he expressly assures the inhabitants of Terra Firma, that the British government will aid in establishing their independence.

“With regard to the hope you entertain of raising the spirits of those persons with whom you are in correspondence, toward encouraging the inhabitants to resist the oppressive authority of their government, I have little more to say than that they may be certain that whenever they are in that disposition, they may receive at your hands all the succors to be expected from his Britannic Majesty, be it with forces or with arms and ammunition to any extent; with the assurance that the views of his Britannic Majesty go no further than to secure to them their independence,” etc.

In the prosecution of the same object, Great Britain defrayed the expenses of the famous expedition of Miranda. England, in 1811, when she was in the most intimate relations with Spain, then struggling against the French power, assumed the attitude of a mediator between the colonies and the peninsula. The terms on which she conceived her mediation could alone be effectual were rejected by the Cortes, at the lowest state of the Spanish power. Among these terms, England required for the colonies a perfect freedom of commerce allowing only some degree of preference to Spain: that the appointments of viceroys and governors should be made indiscriminately from Spanish Americans and Spaniards; and that the interior government, and every branch of public administration, should be intrusted to the *cabildo*, or municipalities, etc. If Spain, when Spain was almost reduced to the Island of St. Leon, then rejected those conditions, will she now consent to them, amounting, as they do, substantially, to the independence of Spanish America. If England, devoted as she was at that time to the cause of the Peninsula, even then thought those terms due to the colonies, will she now, when no particular motive exists for cherishing the Spanish power, and after the ingratitude with which Spain has treated her, think that the colonies ought to submit to less favorable conditions? And would not England stand disgraced in the eyes of the whole world, if after having abetted and excited a revolution, she should now attempt to reduce the colonies to unconditional submission, or should make war upon us for acknowledging that independence which she herself sought to establish?

No guarantee for the conduct of nations or individuals ought to be stronger than that which honor imposes; but for those who put no confidence in its obligations I have an argument to urge of more conclusive force. It is founded upon the interests of England. Excluded almost as she is from the continent, the commerce of America, South and North, is worth to her more than the commerce of the residue of the world. That to all Spanish America has been alone estimated at fifteen millions sterling. Its aggregate value to Spanish America and the United States may be fairly stated at upwards of one hundred million dollars. The effect of a war with the two countries would be to divest England of this great interest, at a moment when she is anxiously engaged in repairing the ravages of the European war. Looking to the present moment only, and merely to the interests of commerce, England is concerned more than even this country in the success of the cause of independence in Spanish America. The reduction of the Spanish power in America has been the constant and favorite aim of her policy for two centuries—she must blot out her whole history, reverse the maxims of all her illustrious statesmen, extinguish the spirit of commerce which animates, directs, and controls all her movements, before she can render herself accessory to the subjugation of Spanish America. No commercial advantages which Spain may offer by treaty, can possess the security for her trade, which independence would communicate. The one would be most probably of limited duration, and liable to violation from policy, from interest, or from caprice. The other would be as permanent as independence. That I do not mistake the views of the British cabinet, the recent proclamation of

the Prince Regent I think, proves. The Committee will remark that the document does not describe the patriots as rebels or insurgents, but using a term which I have no doubt has been well weighed, it declares the existence of a "state of warfare." And with regard to English subjects, who are in the armies of Spain, although they entered the service without restriction as to their military duties, it requires that they shall not take part against the colonies. The subjects of England freely supply the patriots with arms and ammunition, and an honorable friend of mine (Col. Johnson) has just received a letter from one of the West India Islands stating the arrival there from England of the skeletons of three regiments, with many of the men to fill them, destined to aid the patriots. In the Quarterly Review of November last, a journal devoted to the ministry, and a work of the highest authority, as it respects their views—the policy of neutrality is declared and supported as the true policy of England; and that even if the United States were to take part in the war; and Spain is expressly notified that she cannot and must not expect aid from England.

"In arguing therefore for the advantage of a strict neutrality, we must enter an early protest against any imputations of hostility to the cause of genuine freedom, or of any passion for despotism and the Inquisition. We are no more the panegyrists of legitimate authority in all times, circumstances, and situations, than we are advocates for revolution in the abstract," etc. "But it has been plausibly asserted, that by abstaining from interference in the affairs of South America, we are surrendering to the United States all the advantages which might be secured to ourselves from this revolution; that we are assisting to increase the trade and power of a nation which alone can ever be the maritime rival of England. It appears to us extremely doubtful whether any advantage, commercial or political, can be lost to England by a neutral conduct; it must be observed that the United States themselves have given every public proof of their intention to pursue the same line of policy. But admitting that this conduct is nothing more than a decent pretext; or admitting still farther, that they will afford to the Independents direct and open assistance, our view of the case would remain precisely the same," etc. "To persevere in force, unaided, is to miscalculate her (Spain's) own resources, even to infatuation. To expect the aid of an ally in such a cause would, if that ally were England, be to suppose this country as forgetful of its own past history as of its immediate interests and duties. Far better would it be for Spain, instead of calling for our aid, to profit by our experience; and to substitute, ere it be too late for efforts like those by which the North American colonies were lost to this country the oscillatory measures by which they might have been retained."

In the case of the struggle between Spain and her colonies, England, for once at least, has manifested a degree of wisdom highly deserving our imitation, but unfortunately the very reverse of her course has been pursued by us. She has so conducted, by operating upon the hopes of the two parties, as to keep on the best terms with both—to enjoy all the advantages of the rich commerce of both. We have, by a neutrality bill containing unprecedented features; and still more by a late executive measure, to say the least of it of doubtful constitutional character, contrived to dissatisfy both parties. We have the confidence neither of Spain nor the colonies.

It remains for me to defend the proposition which I meant to submit, from an objection, which I have heard intimated, that it interferes with the duties assigned to the executive branch. On this subject I feel the

greatest solicitude; for no man more than myself respects the preservation of the independence of the several departments of government, in the constitutional orbits which are prescribed to them. It is my favorite maxim, that each, acting within its proper sphere, should move with its constitutional independence, and under its constitutional responsibility, without influence from any other. I am perfectly aware that the constitution of the United States, and I admit the proposition in its broadest sense, confides to the executive the reception and the deputation of ministers. But, in relation to the latter operation, Congress has concurrent will, in the power of providing for the payment of their salaries. The instrument nowhere says or implies that the executive act of sending a minister to a foreign country shall precede the legislative act which provides for the payment of his salary. And, in point of fact, our statutory code is full of examples of legislative action prior to executive action, both in relation to the deputation of agents abroad, and to the subject matter of treaties. Perhaps the act of sending a minister abroad, and the act providing for the allowance of his salary, ought to be simultaneous; but if, in the order of precedence, there be more reason on the one side than on the other, I think it is in favor of the priority of the legislative act, as the safer depository of power. When a minister is sent abroad, although the legislature may be disposed to think his mission useless—although, if previously consulted, they would have said they would not consent to pay such a minister, the duty is delicate and painful to refuse to pay the salary promised to him whom the executive has even unnecessarily sent abroad. I can illustrate my idea by the existing missions to Sweden and to the Netherlands. I have no hesitation in saying, that if we had not ministers of the first grade there, and if the legislature were asked, prior to sending them, whether it would consent to pay ministers of that grade, I would not, and I believe Congress would not, consent to pay them.

If it be urged that, by avowing our willingness, in a legislative act to pay a minister not yet sent, and whom the President may think it improper to send abroad, we operate upon the President by all the force of our opinion; it may be retorted that when we are called upon to pay any minister, sent under similar circumstances, we are operated upon by all the force of the President's opinion. The true theory of our government at least supposes that each of the two departments, acting on its proper constitutional responsibility, will decide according to its best judgment, under all the circumstances of the case. If we make the previous appropriation, we act upon our constitutional responsibility, and the President afterward will proceed upon his. And so if he makes the previous appointment. We have the right, after a minister is sent abroad, and we are called upon to pay him, and we ought to deliberate upon the propriety of his mission—we may and ought to grant or withhold his salary. If this power of deliberation is conceded subsequently to the deputation of the minister, it must exist prior to that deputation. Whenever we deliberate, we deliberate under our constitutional responsibility. Pass the amendment I propose, and it will be passed under that responsibility. Then the President, when he deliberates on the propriety of the mission, will act under his constitutional responsibility. Each branch of

government, moving in its proper sphere, will act with as much freedom from the influence of the other as is practically attainable.

There is great reason, from the peculiar character of the American government, for a perfect understanding between the legislative and executive branches, in relation to the acknowledgment of a new power. Everywhere else the power of declaring war resides with the executive. Here it is deposited with the legislature. If, contrary to my opinion, there be even a risk that the acknowledgment of a new state may lead to war, it is advisable that the step should not be taken without a previous knowledge of the will of the war-making branch. I am disposed to give to the President all the confidence which he must derive from the unequivocal expression of our will. This expression I know may be given in the form of an abstract resolution, declaratory of that will; but I prefer at this time proposing an act of practical legislation. And if I have been so fortunate as to communicate to the committee, in any thing like that degree of strength in which I entertain them, the convictions that the cause of the patriots is just—that the character of the war, as waged by Spain, should induce us to wish them success; that we have a great interest, in that success; that this interest, as well as our neutral attitude, require us to acknowledge any established government in Spanish America; that the United Provinces of the River Plata is such a government; that we may safely acknowledge its independence, without danger of war from Spain, from the allies, or from England; and that, without unconstitutional interference with the executive power, with peculiar fitness, we may express, in an act of appropriation, our sentiments, leaving him to the exercise of a just and responsible discretion,—I hope the committee will adopt the proposition which I have now the honor of presenting to them, after a respectful tender of my acknowledgments for their attention and kindness, during, I fear, the tedious period I have been so unprofitably trespassing upon their patience. I offer the following amendment to the bill.

“For one year's salary, and an outfit to a minister to the United Provinces of the Rio de la Plata, the salary to commence, and the outfit to be paid, whenever the President shall deem it expedient to send a minister to the said United Provinces, a sum not exceeding eighteen thousand dollars.”

SPEECH ON RETIRING FROM OFFICE.

DELIVERED IN WASHINGTON, MARCH 7, 1829.

Mr. Clay, having, on the 3d March, 1829, the day before General Jackson's inauguration as President of the United States, resigned the office of Secretary of State, which he had until then filled under the administration of John Quincy Adams, and being about to return to Ashland, he was invited to meet a number of his friends at a public dinner in the city of Washington. On that occasion the following toast was proposed and enthusiastically received:

"Health, prosperity, and happiness to our highly valued and esteemed guest and fellow citizen, Henry Clay. Whatever the future destination of his life, he has done enough for honor, and need desire no higher reward than the deep-seated affection and respect of his friends and his country."

Mr. Clay responded as follows:—

In rising Mr. President, to offer my respectful acknowledgements for the honors of which I am here the object, I must ask the indulgence of yourself and the other gentlemen now assembled, for an unaffected embarrassment, which is more sensibly felt than it can be distinctly expressed. This city has been the theater of the greater portion of my public life. You, and others whom I now see, have been spectators of my public course and conduct. You and they are, if I may borrow a technical expression from an honorable profession, of which you and I are both members, jurors of the vicinage. To a judgment rendered by those who have thus long known me, and by others though not of the panel, who have possessed equal opportunities of forming correct opinions, I most cheerfully submit. If the weight of human testimony should be estimated by the intelligence and respectability of the witness, and the extent of his knowledge of the matter on which he testifies, the highest consideration is due to that which has been this day spontaneously given. I shall ever cherish it with the most grateful recollection, and look back upon it with proud satisfaction.

I should be glad to feel that I could with any propriety abstain from any allusion at this time and at this place, to public affairs. But considering the occasion which has brought us together, the events which have preceded it, and the influence which they may exert upon the destinies of our country, my silence might be misinterpreted, and I think it therefore proper that I should embrace this first public opportunity which I have had of saying a few words, since the termination of the late memorable and embittered contest. It is far from my wish to continue or to revive the agitation with which that contest was attended. It is ended, for good or for evil. The nation wants repose. A majority of the people has decided, and from their decision there can and ought to be no appeal. Bowing, as I do, with profound respect to them, and to this exercise of their sovereign authority, I may nevertheless be allowed to retain and to express my own unchanged sentiments, even if they

should not be in perfect coincidence with theirs. It is a source of high gratification to me to believe that I share these sentiments in common with more than half a million of freemen, possessing a degree of virtue, of intelligence, of religion, and of genuine patriotism, which, without disparagement to others, is unsurpassed, in the same number of men in this or any other country, in this or any other age.

I deprecated the election of the present President of the United States, because I believe he had neither the temper, the experience, nor the attainments requisite to discharge the complicated and arduous duties of chief magistrate. I deprecated it still more, because his elevation, I believed, would be the result exclusively of admiration and gratitude for military service, without regard to indispensable civil qualifications. I can neither retract, nor alter, nor modify any opinion which, on these subjects, I have at any time heretofore expressed. I thought I beheld in his election an awful foreboding of the fate which, at some future (I pray to God that, if it ever arrive, it may be some far distant) day was to befall this infant republic. All past history has impressed on my mind this solemn apprehension. Nor is it effaced or weakened by contemporaneous events passing upon our own favored continent. It is remarkable that, at this epoch, at the head of eight of the nine independent governments established in both Americas, military officers have been placed, or have placed themselves. General Lavalle has, by military force, subverted the republic of La Plata. General Santa Cruz is the chief magistrate of Bolivia; Colonel Pinto of Chili; General Lamar of Peru, and General Bolivar of Columbia. Central America, rent in pieces, and bleeding at every pore from wounds inflicted by contending military factions, is under the alternative sway of their chiefs. In the government of our nearest neighbor, an election, conducted according to all the requirements of their constitution, has terminated with a majority of the States in favor of Pedrazza, the civil candidate. An insurrection was raised in behalf of his military rival; the cry, not exactly of a bargain, but of corruption, was sounded; the election was annulled, and a reform effected by proclaiming General Guerrero, having only a minority of the States, duly elected President. The thunders from the surrounding forts and the acclamations of the assembled multitude, on the fourth, told us what general was at the head of our affairs. It is true, and in this respect we are happier than some of the American States, that his election has not been brought about by military violence. The forms of the constitution have yet remained inviolate.

In re-asserting the opinions which I hold, nothing is further from my purpose than to treat with the slightest disrespect those of my fellow-citizens here or elsewhere, who may entertain opposite sentiments. The fact of claiming and exercising the free and independent expression of the dictates of my own deliberate judgment, affords the strongest guarantee of my full recognition of their corresponding privilege.

A majority of my fellow-citizens, it would seem, do not perceive the dangers which I apprehend from the example. Believing that they are not real, or

that we have some security against their effect, which ancient and modern republics have not found, that majority, in the exercise of their incontestible right of suffrage, have chosen for chief magistrate a citizen who brings into that high trust no qualification other than military triumphs.

That citizen has done much injustice—wanton, unprovoked, and unatoned injustice. It was inflicted, as I must ever believe, for the double purpose of gratifying private resentment and promoting personal ambition. When, during the late canvas, he came forward in the public prints under his proper name, with his charge against me, and summoned before the public tribunal his friend and his only witness to establish it, the anxious attention of the whole American people was directed to the testimony which that witness might render. He promptly obeyed the call and testified to what he knew. He could say nothing, and he said nothing, which cast the slightest shade upon my honor or integrity. What he did say was the reverse of any implication of me. Then all just and impartial men, and all who had faith in the magnanimity of my accuser, believed that he would voluntarily make a public acknowledgment of his error. How far this reasonable expectation has been fulfilled, let his persevering and stubborn silence attest. But my relations to that citizen by a recent event are now changed. He is the chief magistrate of my country, invested with large and extensive powers, the administration of which may conduce to its prosperity or occasion its adversity. Patriotism enjoins as a duty, that while he is in that exalted station, he should be treated with decorum, and his official acts be judged of in a spirit of candor. Suppressing, as far as I can, a sense of my personal wrong—willing even to forgive him, if his own conscience and our common God can acquit him—and entertaining for the majority which has elected him, and for the office which he fills, all the deference which is due from a private citizen, I most anxiously hope that under his guidance the great interests of our country, foreign and domestic, may be upheld, our free institutions be unimpaired, and the happiness of the nation be continued and increased.

While I am prompted by an ardent devotion to the welfare of my country sincerely to express this hope, I make no pledges, no promises, no threats, and I must add, I have no confidence. My public life, I trust, furnishes the best guarantee for my faithful adherence to those great principles of external and internal policy, to which it has been hitherto zealously dedicated. Whether I shall ever hereafter take any part in the public councils or not, depends upon circumstances beyond my control. Holding the principle that a citizen, as long as a single pulsation remain, is under an obligation to exert his utmost energies in the service of his country, if necessary, whether in private or public station, my friends here and everywhere may rest assured that, in either condition, I shall stand erect, with a spirit unconquered, while life endures, ready to second their exertions in the cause of liberty, the union, and the national prosperity.

Before I set down I avail myself with pleasure of this opportunity to make my grateful acknowledgments for the courtesies and friendly attentions which I have uniformly experienced from the inhabitants of this city. A free and

social intercourse with them, during a period of more than twenty years, is about to terminate, without any recollection on my part of a single painful collision, and without leaving behind me, as far as I know, a solitary personal enemy. If, in the sentiment with which I am about to conclude, I do not give a particular expression to the feelings inspired by the interchange of civilities and friendly offices, I hope the citizens of Washington will be assured that their individual happiness and the growth and prosperity of this city will ever be objects of my fervent wishes. In the sentiment which I shall presently offer, they are indeed comprehended. For the welfare of this city is indissolubly associated with that of our Union, and the preservation of our liberty. I request permission to propose,

LET US NEVER DESPAIR OF THE AMERICAN REPUBLIC.

SPEECH ON THE PRESIDENTIAL ELECTION,

AT TAYLORSVILLE, VIRGINIA, JULY 10, 1840.

Mr. Clay was invited by the Whigs of his native county, to visit and meet them at the festive board during the Presidential canvass of 1840. He complied as soon as his duties in the Senate would permit, and, being addressed from the chair in a sentiment expressive of gratitude and admiration, responded as follows:

I THINK, my friends and fellow-citizens, that availing myself of the privilege of my long service in the public councils, just adverted to, the resolution, which I have adopted, is not unreasonable, of leaving to younger men, generally, the performance of the duty, and the enjoyment of the pleasure of addressing the people in their primary assemblies. After the event which occurred last winter at the capitol of Pennsylvania, I believed it due to myself, to the Whig cause, and to the country, to announce to the public, with perfect truth and sincerity, and without any reserve, my fixed determination to support the nomination of WILLIAM HENRY HARRISON, there made. To put down all misrepresentations, I have, on suitable occasions, repeated this annunciation, and now declare my solemn conviction, that the purity and security of our free institutions, and the prosperity of the country, imperatively demand the election of that citizen to the office of Chief Magistrate of the United States.

But the occasion forms an exception from the rule which I have prescribed to myself. I have come here to the county of my nativity in the spirit of a pilgrim, to meet, perhaps for the last time, the companions and the descendants of the companions of my youth. Wherever we roam, in whatever climate or land we are cast by the accidents of human life, beyond the mountains, or beyond the ocean, in the legislative halls of the capitol, or in the retreats and shades of private life, our hearts turn with an irresistible instinct to the cherished spot which ushered us into existence. And we dwell with delightful associations on the recollection of the streams in which, during our boyish days, we bathed, the fountains at which we drank, the piny fields, the hills and the valleys where we sported, and the friends who shared these enjoyments with us. Alas! too many of these friends of mine have gone whither we must all shortly go, and the presence here of the small remnant left behind attests both our loss and our early attachment. I would greatly prefer, my friends, to employ the time which this visit affords in friendly and familiar conversation on the virtues of our departed companions, and on the scenes and adventures of our younger days; but the expectation which prevails, the awful state of our beloved country, and the opportunities which I have enjoyed in its public councils impose on me the obligation of touching on topics less congenial with the feelings of my heart, but possessing higher public interest. I assure you, fellow citizens, however, that I present myself

before you for no purpose of exciting prejudices or inflaming passions, but to speak to you in all soberness and truth, and to testify to the things which I know, or the convictions which I entertain, as an ancient friend, who has lived long, and whose career is rapidly drawing to a close. Throughout an arduous life, I have endeavored to make truth and the good of the country the guides of my public conduct; but in Hanover county, for which I cherish sentiments of respect, gratitude, and veneration, above all other places, would I avoid saying anything that I did not sincerely and truly believe.

Why is the plow deserted, the tools of the mechanic laid aside, and all are seen rushing to gatherings of the people? What occasions those vast and useful assemblages which we behold in every State, and in almost every neighborhood? Why those conventions of the people, at a common center, from all the extremities of this vast Union, to consult together upon the sufferings of the community, and to deliberate on the means of deliverance? Why this rabid appetite for public discussions? What is the solution of the phenomenon, which we observe, of a great nation, agitated upon its whole surface, and at its lowest depths, like the ocean when convulsed by some terrible storm? There must be a cause, and no ordinary cause.

It has been truly said, in the most memorable document that ever issued from the pen of man, that "all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. The recent history of our people furnishes confirmation of that truth. They are active, enterprising, and intelligent; but are not prone to make groundless complaints against public servants. If we now everywhere behold them in motion, it is because they feel that the grievances under which they are writhing can be no longer tolerated. They feel the absolute necessity of a change, that no change can render their condition worse, and that any change must better it. This is the judgment to which they have come: this the brief and compendious logic which we daily hear. They know that, in all the dispensations of Providence, they have reason to be thankful and grateful; and if they had not, they would be borne with fortitude and resignation. But there is a pervading conviction and persuasion that, in the administration of government, there has been something wrong, radically wrong, and that the vessel of State has been in the hands of selfish, faithless, and unskillful pilots, who have conducted it amidst the breakers.

In my deliberate opinion, the present distressed and distracted state of the country may be traced to the single cause of the action, the encroachments, and the usurpations of the executive branch of the government. I have no time here to exhibit and to dwell upon all the instances of these, as they have occurred in succession, during the last twelve years. They have been again and again exposed on other more fit occasions. But I have thought this a proper opportunity to point out the enormity of the pretensions, principles, and practices of that department, as they have been, from time to time, disclosed in these late years, and to show the rapid progress which has been made in the fulfillment of the remarkable language of our illustrious countryman, that the federal executive had an awful squinting toward monarchy.

Here, in the country of his birth, surrounded by sons, some of whose sires with him were the first to raise their arms in defense of American liberty against a foreign monarch, is an appropriate place to expose the impending danger of creating a domestic monarch. And may I not, without presumption, indulge the hope that the warning voice of another, although far humbler, son of Hanover may not pass unheeded?

The late President of the United States advanced certain new and alarming pretensions for the executive department of the government, the effect of which, if established and recognized by the people, must inevitably convert it into a monarchy. The first of these, and it was a favorite principle with him, was, that the executive department should be regarded as a unit. By this principle of unity, he meant and intended that all the executive officers of government should be bound to obey the commands and execute the orders of the President of the United States, and that they should be amenable to him, and he be responsible for them. Prior to his administration, it had been considered that they were bound to observe and obey the constitution and laws, subject only to the general superintendence of the President, and responsible by impeachment, and to the tribunals of justice for injuries inflicted on private citizens.

But the annunciation of this new and extraordinary principle was not of itself sufficient for the purpose of President Jackson; it was essential that the subjection to his will, which was its object, should be secured by some adequate sanction. That he sought to effect by an extension of another principle, that of dismissal from office, beyond all precedent, and to cases, and under circumstances, which would have furnished just grounds for his impeachment, according to the solemn opinion of Mr. Madison and other members of the first Congress under the present constitution.

Now, if the whole official corps, subordinate to the President of the United States, are made to know and to feel that they hold their respective offices by the tenure of conformity and obedience to his will, it is manifest that they must look to that will, and not to the constitution and laws, as the guide of their official conduct. The weakness of human nature, the love and emoluments of office, perhaps the bread necessary to the support of their families, would make this result absolutely certain.

The development of this new character to the power of dismissal, would have fallen short of the aims in view, without the exercise of it were held to be a prerogative, for which the President was to be wholly irresponsible. If he were compelled to expose the grounds and reasons upon which he acted, in dismissals from office, the apprehension of public censure would temper the arbitrary nature of the power, and throw some protection around the subordinate officer.

Hence the new and monstrous pretension has been advanced, that although the concurrence of the Senate is necessary by the constitution to the confirmation of an appointment, the President may subsequently dismiss the person appointed, not only without communicating the grounds on which he has acted to the Senate, but without any such communication to the people themselves, for whose benefit all offices are created! And so bold and daring has

the executive branch of the government become, that one of its cabinet ministers, himself a subordinate officer, has contemptuously refused to members of the House of Representatives, to disclose the grounds on which he has undertaken to dismiss from office persons acting as deputy post-masters in his department.

As to the gratuitous assumption made by President Jackson, of responsibility for all the subordinate executive officers, it is the merest mockery that was ever put forth. They will escape punishment by pleading his orders, and he by alleging the hardship of being punished, not for his own acts, but for theirs. We have a practical exposition of this principle in the case of the two hundred thousand militia. The Secretary of War comes out to screen the President, by testifying that he never saw what he strongly recommended; and the President reciprocates that favor by retaining the Secretary in place, notwithstanding he has proposed a plan for organizing the militia, which is acknowledged to be unconstitutional. If the President is not to be held responsible for a cabinet minister, in daily intercourse with him, how is he to be rendered so for a receiver in Wisconsin or Iowa? To concentrate all responsibility in the President, is to annihilate all responsibility. For who ever expects to see the day arrive when a President of the United States will be impeached—or if impeached, when he cannot command more than one-third of the Senate to defeat the impeachment?

But to construct the scheme of practical despotism, while all the forms of free government remained, it was necessary to take one further step. By the constitution, the President is enjoined to take care that the laws be executed. This injunction was merely intended to impose on him the duty of a general superintendence; to see that offices were filled, officers at their respective posts in the discharge of their official functions, and all obstructions to the enforcement of the laws were removed, and when necessary for that purpose, to call out the militia. No one ever imagined, prior to the administration of President Jackson, that a President of the United States was to occupy himself with supervising and attending to the execution of all the minute details of one of the hosts of offices in the United States.

Under the constitutional injunction just mentioned, the late President put forward that most extraordinary pretension, that the constitution and laws of the United States were to be executed as he understood them; and this pretension was attempted to be sustained by an argument equally extraordinary, that the President, being a sworn officer, must carry them into effect according to his sense of their meaning. The constitution and laws were to be executed not according to their import, as handed down to us by our ancestors, as interpreted by contemporaneous expositions, as expounded by concurrent judicial decisions, as fixed by an uninterrupted course of Congressional legislation, but in that sense which a President of the United States happened to understand them!

To complete this executive usurpation, one further object remained. By the constitution, the command of the army and the navy is conferred on the President. If he could unite the purse with the sword, nothing would be left to gratify the insatiable thirst for power. In 1833, the President seized the

treasury of the United States, and from that day to this it has continued substantially under his control. The seizure was effected by the removal of one Secretary of the Treasury, understood to be opposed to the measure, and by the dismissal of another, who refused to violate the law of the land, upon the orders of the President.

It is indeed said, that not a dollar in the treasury can be touched without a previous appropriation by law, nor drawn out of the treasury without the concurrence and signature of the Secretary, the Treasurer, the Register, and the comptroller. But are not all these pretended securities idle and unavailing forms? We have seen that, by the operation of the irresponsible power of dismissal, all those officers are reduced to mere automata, absolutely subjected to the will of the President. What resistance would any of them make with the penalty of dismissal suspended over their heads, to any orders of the President, to pour out the treasure of the United States, whether an act of appropriation existed or not? Do not mock us with the vain assurance of the honor and probity of a President, nor remind us of the confidence which we ought to repose in his imagined virtues. The pervading principles of our system of government—of all free government—is not merely the possibility, but the absolute certainty of infidelity and treachery, with even the highest functionary of the State; and hence all the restrictions, securities, and guarantees, which the wisdom of our ancestors, or the sad experience of history had inculcated, have been devised and thrown around the Chief Magistrate.

Here, friends and fellow-citizens, let us pause and contemplate this stupendous structure of executive machinery and despotism, which has been reared in our young republic. The executive branch of the government is a unit; throughout all its arteries and veins there is to be but one heart, one head, one will. The number of the subordinate executive officers and dependents in the United States has been estimated in an official report, founded on public documents, made by a Senator from South Carolina, (Mr. Calhoun,) at one hundred thousand. Whatever it may be, all of them, wherever they are situated, are bound implicitly to obey the orders of the President. An absolute obedience to his will is secured and enforced by the power of dismissing them at his pleasure, from their respective places. To make this terrible power of dismissal more certain and efficacious, its exercise is covered up in mysterious secrecy, without the smallest responsibility. The constitution and laws of the United States are to be executed in the sense in which the President understands them—although that sense may be at variance with the understanding of every other man in the United States. It follows, as a necessary consequence, from the principles deduced by the President from the constitutional injunction as to the execution of the laws, that, if an act of Congress be passed, in his opinion, contrary to the constitution, or if a decision be pronounced by the courts, in his opinion, contrary to the constitution or the laws, that act or that decision, the President is not obliged to enforce, and he could not cause it to be enforced, without a violation, as is pretended, of his official oath. Candor requires the admission, that the principle has not yet been pushed in practice in these cases; but it manifestly

comprehends them ; and who doubts, that if the spirit of usurpation is not arrested and rebuked, they will be finally reached ? The march of power is ever onward. As times and seasons admonish, it openly and boldly in broad day makes its progress ; or if alarm be excited by the enormity of its pretensions, it silently and secretly, in the dark of the night, steals its devious way. It now storms and mounts the ramparts of the fortress of liberty ; it now saps and undermines its foundations. Finally, the command of the army and navy being already in the President, and having acquired a perfect control over the treasury of the United States, he has consummated that frightful union of purse and sword, so long, so much, so earnestly deprecated by all true lovers of civil liberty. And our present Chief Magistrate stands solemnly and voluntarily pledged, in the face of the whole world, to follow in the footsteps and carry out the measures and the principles of his illustrious predecessor !

The sum of the whole is, that there is but one power, one will in the State. All is concentrated in the President. He directs, orders, commands the whole machinery of the State. Through the official agencies, scattered throughout the land, and absolutely subjected to his will, he executes, according to his pleasure or caprice, the whole power of the commonwealth, which has been absorbed and engrossed by him. And one sole will predominates in, and animates the whole of this vast community. If this be not practical despotism, I am not capable of conceiving or defining it. Names are nothing. The existence or non-existence of arbitrary government does not depend upon the title or denomination bestowed on the chief of the State, but upon the quantum of power which he possesses and wields. Autocrat, sultan, emperor, dictator, king, doge, president, are all mere names, in which the power respectively possessed by them is not to be found, but is to be looked for in the constitution, or the established usages and practices of the several states which they govern and control. If the Autocrat of Russia were called President of all the Russias, the actual power remaining unchanged, his authority under his new denomination, would continue undiminished ; and if the President of the United States were to receive the title of Autocrat of the United States, the amount of his authority would not be increased, without an alteration of the constitution.

General Jackson was a bold and fearless reaper, carrying a wide row, but he did not gather the whole harvest ; he left some gleanings to his faithful successor, and he seems resolved to sweep clean the field of power. The duty of inculcating on the official corps the active exertion of their personal and official influence was left by him to be enforced by Mr. Van Buren, in all popular elections. It was not sufficient that the official corps was bound implicitly to obey the will of the President. It was not sufficient that this obedience was coerced by the tremendous power of dismissal. It soon became apparent that this corps might be beneficially employed to promote, in other matters than the business of their offices, the views and interests of the President and his party. They are far more efficient than any standing army of equal numbers. A standing army would be separated, and stand out from the people, would be an object of jealousy and suspicion ; and, being always

in corps, or in detachments, could exert no influence on popular elections. But the official corps is dispersed throughout the country, in every town, village, and city, mixing with the people, attending their meetings and conventions, becoming chairmen and members of committees, and urging and stimulating partisans to active and vigorous exertion. Acting in concert, and throughout the whole Union, obeying orders issued from the center, their influence, aided by executive patronage, by the post-office department, and all the vast other means of the executive, is almost irresistible.

To correct this procedure, and to restrain the subordinates of the executive from all interference with popular elections, my colleague, (Mr. Crittenden,) now present, introduced a bill in the Senate. He had the weight of Mr. Jefferson's opinion, who issued a circular to restrain federal officers from intermeddling in popular elections. He had before him the British example, according to which place-men and pensioners were not only forbidden to interfere, but were not, some of them, even allowed to vote at popular elections. But his bill left them free to exercise the elective franchise, prohibiting only the use of their official influence. And how was this bill received in the Senate? Passed, by those who profess to admire the character and to pursue the principles of Mr. Jefferson? No such thing. It was denounced as a sedition bill. And the just odium of that sedition bill, which was intended to protect office-holders against the people, was successfully used to defeat a measure of protection of the people against the office-holders! Not only were they left unrestrained, but they were urged and stimulated by an official report to employ their influence in behalf of the administration at the election of the people.

Hitherto, the army and the navy have remained unaffected by the power of dismissal, and they have not been called into the political service of the executive. But no attentive observer of the principles and proceedings of the men in power, could fail to see that the day was not distant when they, too, would be required to perform the partisan offices of the President. Accordingly, the process of converting them into executive instruments has commenced in a court martial assembled at Baltimore. Two officers of the army of the United States have been there put upon their solemn trial, on the charge of prejudicing the democratic party by making purchases for the supply of the army from members of the Whig party! It is not pretended that the United States were prejudiced by those purchases; on the contrary, it was, I believe, established that they were cheaper than could have been made from the supporters of the administration. But the charge was, that to purchase at all from the opponents, instead of the friends of the administration, was an injury to the democratic party, which required that the offenders should be put upon their trial before a court martial! And this trial was commenced at the instance of a committee of a democratic convention, and conducted and prosecuted by them! The scandalous spectacle is presented to an enlightened world of the Chief Magistrate of a great people executing the orders of a self-created power, organized within the bosom of the State, and upon such an accusation, arraigning, before a military tribunal, gallant men, who are charged with the defense of the honor and the interest

of their country, and with bearing its eagles in the presence of an enemy!

But the army and navy are too small, and in composition are too patriotic to subserve all the purposes of this administration. Hence the recent proposition of the Secretary of War, strongly recommended by the President, under color of a new organization of the militia, to create a standing force of 200,000 men, an amount which no conceivable foreign exigency can ever make necessary. It is not my purpose now to enter upon an examination of that alarming and most dangerous plan of the executive department of the federal government. It has justly excited a burst of general indignation, and nowhere has the disapprobation of it been more emphatically expressed than in this ancient and venerable commonwealth.

The monstrous project may be described in a few words. It proposes to create the force by breaking down Mason and Dixon's line, expunging the boundaries of states; melting them up into a confluent mass, to be subsequently cut up into ten military parts; alienates the militia from its natural association, withdraws it from the authority and command, and sympathy of its constitutional officers, appointed by the States, puts it under the command of the President, authorizes him to cause it to be trained, in palpable violation of the constitution, and subjects it to be called out from remote and distant places, at his pleasure, and on occasions not warranted by the Constitution!

Indefensible as this project is, fellow-citizens, do not be deceived by supposing that it has been or will be abandoned. It is a principle of those who are now in power, that an election or re-election of the President implies the sanction of the people to all the measures which he had proposed, and all the opinions which he had expressed, on public affairs, prior to that event. We have seen this principle applied on various occasions. Let Mr. Van Buren be re-elected in November next, and it will be claimed that the people have thereby approved of this plan of the Secretary of War. All entertain the opinion that it is important to train the militia, and render it effective; and it will be insisted, in the contingency mentioned, that the people have demonstrated that they approve of that specific plan. There is more reason to apprehend such a consequence from the fact that a committee of the Senate, to which this subject was referred, instead of denouncing the scheme as unconstitutional and dangerous to liberty, presented a labored apologetic report, and the administration majority in that body ordered twenty thousand copies of the apology to be printed for circulation among the people. I take pleasure in testifying that one administration Senator had the manly independence to denounce, in his place, the project as unconstitutional. That Senator was from your own State.

I have thus, fellow-citizens, exhibited to you a true and faithful picture of executive power, as it has been enlarged and expanded within the last few years, and as it has been proposed further to extend it. It overshadows every other branch of the government. The source of legislative power is no longer to be found in the capitol, but in the palace of the President. In assuming to be a part of the legislative power, as the President recently did,

contrary to the constitution, he would have been nearer the actual fact if he had alleged that he was the sole legislative power of the Union. How is it possible for public liberty to be preserved, and the constitutional distributions of power, among the departments of government, to be maintained, unless the executive career be checked and restrained?

It may be urged that two securities exist; first, that the Presidential term is of short duration; and, secondly, the elective franchise. But it has been already shown, that whether a depository of power be arbitrary or compatible with liberty does not depend upon the duration of the official term, but upon the amount of power invested. The dictatorship in Rome was an office of brief existence, generally shorter than the Presidential term. Whether the elective franchise be an adequate security or not, is a problem to be solved next November. I hope and believe it *yet* is. But if Mr. Van Buren should be re-elected, the power already acquired by the executive be retained, and that which is in progress be added to that department, it is my deliberate judgment that there will be no hope remaining for the continuance of the liberties of the country.

And yet the partisans of this tremendous executive power arrogate to themselves the name of democrats, and bestow upon us, who are opposed to it, the denomination of the federalists! In the Senate of the United States there are five gentlemen who were members of the federal party, and four of them have been suddenly transformed into democrats, and are now warm supporters of this administration, whilst I, who had exerted the utmost of my humble abilities to arouse the nation to a vindication of its insulted honor and its violated rights, and to the vigorous prosecution of the war against Great Britain, to which they were violently opposed, find myself, by a sort of magical influence, converted into a federalist! The only American citizen that I ever met with, who was an avowed monarchist, was a supporter of the administration of General Jackson; and he acknowledged to me that his motive was to bring about the system of monarchy, which his judgment preferred.

There were other points of difference between the federalists and the democratic, or rather republican party of 1798, but the great, leading, prominent discrimination between them related to the constitution of the executive department of the government. The federalists believed that in its structure, it was too weak, and was in danger of being crushed by the preponderating weight of the legislative branch. Hence they rallied around the executive, and sought to give to it strength and energy. A strong government, an energetic executive was, among them, the common language and the great object of that day. The republicans, on the contrary, believed that the real danger lay on the side of the executive; that, having a continuous and uninterrupted existence, it was always on the alert, ready to defend the power it had, and prompt in acquiring more; and that the experience of history demonstrated that it was the encroaching and usurping department. They, therefore, rallied around the people and the Legislature.

What are the positions of the two great parties of the present day? Modern democracy has reduced the federal theory of a strong and energetic executive to practical operation. It has turned from the people, the natural ally

of *genuine* democracy, to the executive, and, instead of vigilance, jealousy and distrust, has given to that department all its confidence, and made to it a virtual surrender of all the powers of government. The recognized maxim of royal infallibility is transplanted from the British monarchy into modern American democracy, and the President can do no wrong! This new school adopts, modifies, changes, renounces, renews opinions at the pleasure of the executive. Is the Bank of the United States a useful and valuable institution? Yes, unanimously pronounces the democratic Legislature of Pennsylvania. The President vetoes it as a pernicious and dangerous establishment. The democratic majority in the same Legislature pronounce it to be pernicious and dangerous. The democratic majority of the House of Representatives of the United States declare the deposits of the public money in the Bank of the United States to be safe. The President says they are unsafe, and removes them. The democracy say they are unsafe, and approve the removal. The President says that a scheme of a Sub-Treasury is revolutionary and disorganizing. The democracy say it is revolutionary and disorganizing. The President says it is wise and salutary. The democracy say it is wise and salutary.

The Whigs of 1840 stand where the republicans of 1798 stood, and where the Whigs of the revolution were, battling for liberty, for the people, for free institutions, against power, against corruption, against executive encroachments, against monarchy.

We are reproached with struggling for offices and their emoluments. If we acted on the avowed and acknowledged principle of our opponents, that "the spoils belong to the victors," we should indeed be unworthy of the support of the people. No! fellow-citizens; higher, nobler, more patriotic motives actuate the whig party. Their object is the restoration of the constitution, the preservation of liberty, and rescue of the country. If they were governed by the sordid and selfish motives acted upon by their opponents, and unjustly imputed to them, to acquire office and emolument, they have only to change their names, and enter the Presidential palace. The gate is always wide open, and the path is no narrow one which leads through it. The last comer, too, often fares best.

On a re-survey of the few past years, we behold enough to sicken and sadden the hearts of true patriots. Executive encroachment has quickly followed upon executive encroachment; persons honored by public confidence, and from whom nothing but grateful and parental measures should have flowed, have inflicted stunning blow after blow in such rapid succession that, before the people could recover from the reeling effects of one, another has fallen heavily upon them. Had either of various instances of executive misrule stood out separate and alone, so that its enormity might have been seen and dwelt upon with composure, the condemnation of the executive would have long since been pronounced; but it has hitherto found safety and impunity in the bewildering effects of the multitude of its misdeeds. The nation has been in the condition of a man, who, having gone to bed, after his barn has been consumed by fire, is aroused in the morning to witness his dwelling-house wrapt in flames. So bold and presumptuous has the executive become,

that, penetrating in its influence the hall of a co-ordinate branch of the government, by means of a submissive or instructed majority of the Senate, it has caused a record of the country to be effaced and expunged, the inviolability of which was guaranteed by a solemn injunction of the constitution ! And that memorable and scandalous scene was enacted only because the offensive record contained an expression of disapprobation of an executive proceeding.

If this state of things were to remain—if the progress of executive usurpation were to continue unchecked, hopeless despair would seize the public mind, or the people would be goaded to acts of open and violent resistance. But, thank God, the power of the President, fearful and rapid as its strides have been, is not yet too great for the power of the elective franchise ; and a bright and glorious prospect, in the election of WILLIAM HENRY HARRISON, has opened upon the country. The necessity of a change of rulers has deeply penetrated the hearts of the people ; and we everywhere behold cheering manifestations of that happy event. The fact of his election alone, without reference to the measures of his administration, will powerfully contribute to the security and happiness of the people. It will bring assurance of the cessation of that long series of disastrous experiments which have so greatly afflicted the people. Confidence will immediately revive, credit be restored, active business will return, prices of products will rise, and the people will feel and know that, instead of their servants being occupied in devising measures for their ruin and destruction, they will be assiduously employed in promoting their welfare and prosperity.

But grave and serious measures will, unquestionably, early and anxiously command the earnest attention of the new administration. I have no authority to announce, and do not pretend to announce the purposes of the new President. I have no knowledge of them other than that which is accessible to every citizen. In what I shall say as to the course of a new administration, therefore, I mean to express my own sentiments, to speak for myself, without compromising any other person. Upon such an interesting occasion as this, in the midst of the companions of my youth, or their descendants, I have felt that it is due to them and to myself, explicitly to declare my sentiments, without reserve, and to show that I have been, and, as I sincerely believe, the friends with whom I have acted, have been, animated by the disinterested desire to advance the best interests of the country, and to preserve its free institutions.

The first, and in my opinion, the most important object which should engage the serious attention of a new administration, is that of circumscribing the executive power, and throwing around it such limitations and safeguards as will render it no longer dangerous to the public liberties.

Whatever is the work of man, necessarily partakes of his imperfections ; and it was not to be expected that, with all the acknowledged wisdom and virtues of the framers of our constitution, they could have sent forth a plan of government, so free from all defect, and so full of guarantees, that it should not, in the conflict of imbittered parties, and of excited passions, be perverted and misinterpreted. Misconceptions, or erroneous constructions of

the powers granted in the constitution, would probably have occurred, after the lapse of many years, in seasons of entire calm, and with a regular and temperate administration of the government; but during the last twelve years, the machine, driven by a reckless charioteer, with frightful impetuosity, has been greatly jarred and jolted, and it needs careful examination and a thorough repair.

With the view, therefore, to the fundamental character of the government itself, and especially of the executive branch, it seems to me that, either by amendments of the constitution, when they are necessary, or by remedial legislation when the object falls within the scope of the powers of Congress, there should be,

1st. A provision to render a person ineligible to the office of President of the United States, after a service of one term.

Much observation and deliberate reflection have satisfied me that too much of the time, the thoughts, and the exertions of the incumbent are occupied, during his first term, in securing his re-election. The public business, consequently, suffers, and measures are proposed or executed, with less regard to the general prosperity than to their influence upon the approaching election. If the limitation to one term existed, the President would be exclusively devoted to the discharge of his public duties; and he would endeavor to signalize his administration by the beneficence and wisdom of its measures.

2d. That the veto power should be more precisely defined, and be subjected to further limitations and qualifications. Although a large, perhaps the largest proportion of all the acts of Congress, passed at the short sessions of Congress, since the commencement of the government, were passed within the three last days of the session, and when, of course, the President, for the time being, had not the ten days for consideration allowed by the constitution, President Jackson, availing himself of that allowance, has failed to return important bills. When not returned by the President within the ten days, it is questionable whether they are laws or not. It is very certain that the next Congress cannot act upon them by deciding whether or not they shall become laws, the President's objections notwithstanding. All this ought to be provided for.

At present, a bill, returned by the President, can only become a law by the concurrence of two-thirds of the members of each House. I think if Congress passes a bill after discussion and consideration, and, after weighing the objections of the President, still believes it ought to pass, it should become a law, provided a majority of all the members of each House concur in its passage. If the weight of his argument, and the weight of his influence conjointly, cannot prevail on a majority, against their previous convictions, in my opinion the bill ought not to be arrested. Such is the provision of the constitutions of several of the States, and that of Kentucky among them.

3d. That the power of dismission from office should be restricted, and the exercise of it be rendered responsible.

The constitutional concurrence of the Senate is necessary to the confirmation of all important appointments, but, without consulting the Senate, without

any other motive than resentment or caprice, the President may dismiss at his sole pleasure, an officer created by the joint action of himself and the Senate. The practical effect is to nullify the agency of the Senate. There may be occasionally, cases in which the public interest requires an immediate dismissal without waiting for the assembling of the Senate; but, in all such cases, the President should be bound to communicate fully the grounds and motives of the dismissal. The power would be thus rendered responsible. Without it the exercise of the power is utterly repugnant to free institutions, the basis of which is perfect responsibility, and dangerous to the public liberty, as has been already shown.

4th. That the control over the treasury of the United States should be confided and confined exclusively to Congress; and all authority of the President over it, by means of dismissing the Secretary of the Treasury, or other persons having the immediate charge of it, be rigorously precluded.

You have heard much, fellow citizens, of the divorce of banks and government. After crippling them and impairing their utility, the executive and its partisans have systematically denounced them. The executive and the country were warned again and again of the fatal course that has been pursued; but the executive, nevertheless, persevered, commencing by praising, and ending by decrying the state banks. Under cover of the smoke which has been raised, the real object all along has been, and yet is, to obtain the possession of the money power of the Union. That accomplished and sanctioned by the people—the union of the sword and the purse in the hands of the President effectually secured—and farewell to American liberty. The sub-treasury is the scheme for effecting that union; and I am told, that of all the days in the year, that which gave birth to our national existence and freedom, is the selected day to be disgraced by ushering into existence a measure, imminently perilous to the liberty which, on that anniversary, we commemorate in joyous festivals. Thus, in the spirit of destruction which animates our rulers, would they convert a day of gladness and of glory into a day of sadness and mourning. Fellow-citizens, there is one divorce urgently demanded by the safety and the highest interests of the country—a divorce of the President from the treasury of the United States.

And 5th. That the appointment of members of Congress to any office, or any but a few specific offices, during their continuance in office, and for one year thereafter, be prohibited.

This is a hackneyed theme; but it is not less deserving serious consideration. The constitution now interdicts the appointment of a member of Congress to any office created, or the emoluments of which had been increased while he was in office. In the purer days of the republic, that restriction might have been sufficient, but in these more degenerate times, it is necessary, by an amendment of the constitution, to give the principle a greater extent.

These are the subjects, in relation to the permanent character of the government itself, which, it seems to me, are worthy of the serious attention of the people, and of a new administration. There are others, of an administrative nature, which require prompt and careful consideration.

1st. The currency of the country, its stability and uniform value, and, as intimately and indissolubly connected with it, the assurance of the faithful performance of the fiscal services necessary to the government should be maintained and secured by exercising all the powers requisite to those objects with which Congress is constitutionally invested. These are the great ends to be aimed at—the means are of subordinate importance. Whether these ends, indispensable to the well-being of both the people and the government, are to be attained by sound and safe state banks, carefully selected, and properly distributed, or by a new Bank of the United States, with such limitations, conditions, and restrictions as have been indicated by experience, should be left to the arbitrament of enlightened public opinion.

Candor and truth require me to say, that, in my judgment, while banks continue to exist in the country, the services of a Bank of the United States cannot be safely dispensed with. I think that the power to establish such a bank is a settled question; settled by Washington and by Madison, by the people, by forty years' acquiescence, by the judiciary, and by both of the great parties which so long held sway in the country. I know and I respect the contrary opinion which is entertained in this State. But, in my deliberate view of the matter, the power to establish such a bank being settled, and being a necessary and proper power, the only question is as to the expediency of its exercise. And on questions of mere expediency public opinion ought to have a controlling influence. Without banks I believe we cannot have a sufficient currency; without a Bank of the United States, I fear we cannot have a sound currency. But it is the end, that of a sound and sufficient currency, and a faithful execution of the fiscal duties of government, that should engage the dispassionate and candid consideration of the whole community. There is nothing in the name of the Bank of the United States which has any magical charm, or to which any one need be wedded. It is to secure certain great objects, without which society cannot prosper; and if, contrary to my apprehension, these objects can be accomplished by dispensing with the agency of a Bank of the United States, and employing that of state banks, all ought to rejoice and heartily acquiesce, and none would more than I should.

2d. That the public lands, in conformity with the trusts created expressly or by just implication, on their acquisition, be administered in a spirit of liberality toward the new states and territories, and in a spirit of justice toward all the states.

The land bill which was rejected by President Jackson, and acts of occasional legislation, will accomplish both these objects. I regret that the time does not admit of my exposing here the nefarious plans and purposes of the administration as to this vast national resource. That, like every other great interest of the country, is administered with the sole view of the effect upon the interests of the party in power. A bill has passed the Senate, and is now pending before the House, according to which forty millions of dollars are stricken from the real value of a certain portion of the public lands by a short process; and a citizen of Virginia, residing on the southwest side of the

Ohio, is not allowed to purchase lands as cheap, by half a dollar per acre, as a citizen living on the northwest side of that river. I have no hesitation in expressing my conviction that the whole public domain is gone if Mr. Van Buren be re-elected.

3d. That the policy of protecting and encouraging the productions of American industry, entering into competition with the rival productions of foreign industry, be adhered to and maintained on the basis of the principles and in the spirit of the compromise of March, 1833.

Protection and national independence are, in my opinion, identical and synonymous. The principle of abandonment of the one cannot be surrendered without a forfeiture of the other. Who, with just pride and national sensibility, can think of subjecting the products of our industry to all the taxation and restraints of foreign powers, without an effort on our part to counteract their prohibitions and burdens by suitable countervailing legislation? The question cannot be, ought not to be, one of principle, but of measure and degree. I adopt that of the compromise act, not because that act is irrevocable, but because it met with the sanction of the nation. Stability with moderate and certain protection, is far more important than instability, the necessary consequence of high protection. But the protection of the compromise act will be adequate, in most, if not as to all interests. The twenty per cent. which it stipulates, cash duties, home valuations, and the list of free articles inserted in the act, for the particular advantage of the manufacturer, will insure, I trust, sufficient protection. All together, they will amount, probably, to no less than thirty per cent.; a greater extent of protection than was secured prior to the act of 1823, which no one stands up to defend. Now the valuation of foreign goods is made not by the American authority, except in suspected cases, but by foreigners, and abroad. They assess the value, and we the duty; but, as the duty depends, in most cases, upon the value, it is manifest that those who assess the value fix the duty. The home valuation will give our government what it rightfully possesses, both the power to ascertain the true value of the thing which it taxes, as well as the amount of that tax.

4th. That a strict and wise economy, in the disbursement of the public money be steadily enforced; and that, to that end, all useless establishments, all unnecessary offices and places, foreign and domestic, and all extravagance, either in the collection or expenditure of the public revenue, be abolished and repressed.

I have not time to dwell on details in the application of this principle. I will say that a pruning knife, long, broad, and sharp, should be applied to every department of government. There is abundant scope for honest and skillful surgery. The annual expenditure may, in reasonable time, be brought down from its present amount of about forty millions to near one-third of that sum.

5th. The several states have made such great and gratifying progress in their respective systems of internal improvement, and have been so aided by the distribution under the deposit act, that, in future, the erection of new

roads and canals should be left to them with such further aid only from the general government as they would derive from the payment of the last installment under that act, from an absolute relinquishment of the right of Congress to call upon them to refund the previous installments, and from their equal and just quotas, to be received by a future distribution of the nett proceeds from the sales of the public lands.

And 6th. That the right to slave property, being guaranteed by the constitution, and recognized as one of the compromises incorporated in that instrument by our ancestors, should be left where the constitution has placed it, undisturbed and unagitated by Congress.

These, fellow-citizens, are views both of the structure of the government, and of its administration, which appear to me worthy of commanding the grave attention of the public and its new servants. Although, I repeat, I have neither authority nor purpose to commit anybody else, I believe most, if not all of them, are entertained by the political friends with whom I have acted. Whether the salutary reforms which they include will be effected or considered, depends upon the issue of that great struggle which is now going on throughout all this country. This contest has had no parallel since the period of the revolution. In both instances there is a similarity of object. That was to achieve, this is to preserve the liberties of the country. Let us catch the spirit which animated, and imitate the virtues which adorned our noble ancestors. Their devotion, their constancy, their untiring activity, their perseverance, their indomitable resolution, their sacrifices, their valor! If they fought for liberty or death, in the memorable language of one of the most illustrious of them, let us never forget that the prize now at hazard, is liberty or slavery. We should be encouraged by the fact that the contest to the success of which they solemnly pledged their fortunes, their lives, and their sacred honor, was far more unequal than that in which we are engaged. But, on the other hand, let us cautiously guard against too much confidence. History and experience prove that more has been lost by self-confidence and contempt of enemies, than won by skill and courage. Our opponents are powerful in numbers, and in organization active, insidious, and possessed of ample means, and wholly unscrupulous in the use of them. They count upon success by the use of two words, Democracy, and Federalism—Democracy which, in violation of all truth, they appropriate to themselves, and Federalism, which, in violation of all justice, they apply to us. And allow me to conjure you not to suffer yourselves to be diverted, deceived, or discouraged by the false rumors which will be industriously circulated, between the present time and the period of the election, by our opponents. They will put them forth in every variety, and without number, in the most imposing forms, certified and sworn to by conspicuous names. They will brag, they will boast, they will threaten. Regardless of all their arts, let us keep steadily and faithfully, and fearlessly at work.

But if the opposition perform its whole duty, if every member of it act, as in the celebrated battle of Lord Nelson, as if the eyes of the whole nation were fixed on him, and as if on his sole exertions depended the issue of the

day, I sincerely believe, that at least twenty of the states of the Union will unite in the glorious work of the salvation of the constitution, and the redemption of the country.

Friends, and fellow-citizens, I have detained you too long. Accept my cordial thanks, and my profound acknowledgments for the honors of this day, and for all your feelings of attachment and confidence toward me, and allow me in conclusion to propose a sentiment:

HANOVER COUNTY: It was the first in the commencement of the revolution to raise its arms, under the lead of Patrick Henry, in defense of American liberty; it will be the last to prove false or recreant to the holy cause.

SPEECH ON THE COMPROMISE OF 1850.

DELIVERED IN THE U. S. SENATE JANUARY 30, 1850.

The feverish and excited condition of the whole country in regard to the proposed exclusion of slavery from the new territory acquired from Mexico, and the angry debates in Congress to which it gave rise, are too fresh in the recollection of every one to require to be re-stated here. It was principally to have this question settled amicably, that Mr. Clay, in his old age, quit his quiet retreat at Ashland, and once more buckled on his armor as a veteran statesman, to fight over the battle of liberty in the Senate. As the last great effort of his life it deserves a place here.

MR. PRESIDENT, I hold in my hand a series of resolutions which I desire to submit to the consideration of this body. Taken together, in combination, they propose an amicable arrangement of all questions in controversy between the free and the slave states, growing out of the subject of slavery. It is not my intention, Mr. President, at this time, to enter into a full and elaborate discussion of each of these resolutions, taken separately, or the whole of them combined together, as composing a system of measures; but I desire to present a few observations upon each resolution, with the purpose chiefly of exposing it fairly and fully before the Senate and before the country; and I may add, with the indulgence of the Senate, toward the conclusion, some general observations upon the state of the country, and the condition of the question to which the resolutions relate. Whether they shall or shall not meet with the approbation and concurrence of the Senate, as I most ardently

hope they may, as I most sincerely believe they ought, I trust that at least some portion of the long time which I have devoted with care and deliberation, to the preparation of these resolutions, and to the presentation of this great national scheme of compromise and harmony, will be employed by each senator before he pronounces against the proposition embraced in these resolutions. The resolutions, sir, are all preceded by a short preamble, to which, of course, I attach no very great importance. The preamble and first resolution are as follows:

It being desirable for the peace, concord, and harmony of the union of these states to settle and adjust amicably all existing questions of controversy between them arising out of the institution of slavery, upon a fair, equitable, and just basis: Therefore,

1st. *Resolved*, That California, with suitable boundaries, ought, upon her application, to be admitted as one of the States of this Union, without the imposition by Congress, of any restriction in respect to the exclusion or introduction of slavery within those boundaries.

Mr. President, it must be acknowledged that there has been some irregularity in the movements which have terminated in the adoption of a constitution by California, and in the expression of her wish, not yet formally communicated to Congress, it is true, but which may be anticipated in a few days, to be admitted into the Union as a State. There has been some irregularity in the manner in which they have framed that constitution. It was not preceded by any act of Congress authorizing the convention, and designating the boundaries of the proposed state, according to all the early practice of this government, according to all the cases of the admission of new States into this Union, which occurred, I think, prior to that of Michigan. Michigan, if I am not mistaken, was the first State which, unbidden, unauthorized by any previous act of Congress, undertook to form for herself a constitution, and to knock at the door of Congress, for admission into the Union. I recollect that at the time when Michigan thus presented herself, I was opposed, in consequence of that deviation from the early practice of the government, to the admission. The majority determined otherwise; and it must be in candor admitted by all men, that California has much more reason to do what she has done, unsanctioned and unauthorized by a previous act of Congress, than Michigan had to do what she did.

Sir, notwithstanding the irregularity of the admission of Michigan into the Union, it has been a happy event. She forms now one of the bright stars of this glorious confederacy. She has sent here to mingle in our councils senators and representatives—men eminently distinguished, with whom we may all associate with pride, with pleasure, and with satisfaction. And I trust that if California, irregular as her previous action may have been in the adoption of a constitution, but more justifiable than was the action of Michigan—if she also shall be admitted, as is proposed by this first resolution, with suitable limits, that she, too, will make her contribution of wisdom, of patriotism, and of good feeling to this body, in order to conduct the affairs of this great and boundless empire.

The resolution proposes her admission when she applies for it. There is no intention on my part to anticipate such an application, but I thought it right

to present this resolution as a part of the general plan which I propose for the adjustment of these unhappy difficulties.

The second resolution, sir, is as follows:

2d. *Resolved*, That as slavery does not exist by law, and is not likely to be introduced into any of the territory acquired by the United States from the republic of Mexico, it is inexpedient for Congress to provide by law either for its introduction into or exclusion from any part of said territory; and that appropriate territorial governments ought to be established by Congress in all of the said territory, not assigned as the boundaries of the proposed State of California, without the adoption of any restriction or condition on the subject of slavery.

This resolution, sir, proposes, in the first instance, a declaration of two truths, one of law and the other of fact. The truth of law which it declares is, that there does not exist at this time, slavery within any portion of the territory acquired by the United States from Mexico. When I say, sir, it is a truth, I speak my own solemn and deliberate conviction. I am aware that some gentlemen have held a different doctrine; but I persuade myself that they themselves, when they come to review the whole ground, will see sufficient reasons for a change, or at least a modification of their opinions; but that, at all events, if they adhere to that doctrine, they will be found to compose a very small minority of the whole mass of the people of the United States.

The next truth which the resolution asserts is, that slavery is not likely to be introduced into any portion of that territory. That is a matter of fact; and all the evidence upon which the fact rests, is, perhaps, as accessible to other senators as it is to me; but I must say that, from all I have heard or read, from the testimony of all the witnesses I have seen and conversed with, from all that has transpired and is transpiring, I do believe that not within one foot of the territory acquired by us from Mexico will slavery ever be planted, and I believe it could not be done even by the force and power of public authority.

Sir, facts are daily occurring to justify me in this opinion. Sir, what has occurred? And upon that subject, and indeed upon this whole subject, I invite senators from the free states especially to consider what has occurred even since the last session—even since the commencement of this session—since they left their respective constituencies, without an opportunity of consulting with them upon that great and momentous fact—the fact that California herself, of which it was asserted and predicted, that she never would establish slavery within her limits when she came to be admitted as a state; that California herself, embracing, of all other portions of the country acquired by us from Mexico, that country into which it would have been most likely that slavery should have been introduced; that California herself has met in convention, and by a unanimous vote, embracing in that body slaveholders from the State of Mississippi, as well as from other parts, who concurred in the resolution—that California by a unanimous vote, has declared against the introduction of slavery within her limits. I think, then, that taking this leading fact in connection with all the evidence we have from other sources on the subject, I am warranted in the conclusion which constitutes the second truth

which I have stated in this resolution, that slavery is "not likely to be introduced into any of the territory acquired by us from Mexico."

Sir, the latter part of the resolution asserts that it is the duty of Congress to establish appropriate territorial governments within all the country acquired from Mexico, exclusive of California, not embracing in the acts by which these governments shall be constituted either a prohibition or an admission of slavery.

Sir, much as I am disposed to defer to high authority, anxious as I really am to find myself in a position that would enable me to co-operate heartily with the other departments of the government in conducting the affairs of this great people, I must say that I cannot without a dereliction of duty consent to an abandonment of them without government, leaving them to all those scenes of disorder, confusion, and anarchy, which I apprehend, in respect of some of them, there is too much reason to anticipate will arise. It is the duty, the solemn—I was going to add the most sacred—duty of Congress to legislate for their government if they can, and, at all events, to legislate for them, and to give them the benefit of law, and order, and security.

The next resolutions are the third and fourth, which, having an immediate connection with each other, should be read and considered together. They are as follows:

3d. *Resolved*, That the western boundary of the State of Texas ought to be fixed on the Rio del Norte, commencing one marine league from its mouth, and running up that river to the southern line of New Mexico; thence with that line eastwardly, and so continuing in the same direction to the line established between the United States and Spain, excluding any portion of New Mexico, whether lying on the east or west of that river.

4th. *Resolved*, That it be proposed to the State of Texas, that the United States will provide for the payment of all that portion of the legitimate and *bona fide* public debt of that State, contracted prior to its annexation to the United States, and for which the duties on foreign imports were pledged by the said State to its creditors, not exceeding the sum of \$——, in consideration of the said dues so pledged having been no longer applicable to that object after the said annexation, but having thenceforward become payable to the United States; and upon the condition also, that the said State of Texas shall, by some solemn and authentic act of her Legislature, or of a convention, relinquish to the United States any claim which it has to any part of New Mexico.

Mr. President, I do not mean now, I do not know that I shall at any time (it is a very complex subject, and one not free from difficulty,) to go into the question of what are the true limits of Texas. My own opinion is, I must say, without intending by the remark to go into any argument, that Texas has not a good title to any portion of what is called New Mexico. And yet, sir, I am free to admit that, looking at the grounds which her representatives assumed, first in the war with Santa Anna in 1836, then at what transpired between Mr. Trist and the Mexican negotiators when the treaty of peace was negotiated, and then the fact that the United States have acquired all the country which Texas claimed as constituting a portion of her territory; looking at all these facts, but without attaching to them, either together or separately, the same degree of force which gentlemen who think that Texas has a right to New Mexico do, I must say that there is plausibility, to say the

least of it, in the pretensions that she sets up to New Mexico. I do not think that they constitute or demonstrate the existence of a good title, but a plausible one. Well, then, sir, what do I propose? Without entering into any inquiry whether the Nueces or the Rio Grande was the true boundary of Texas, I propose, by the first of these two resolutions, that its western limits shall be fixed on the Rio del Norte, extending west from the Sabine to the mouth of the Rio del Norte, and that it shall follow up the Bravo or the Rio del Norte, to where it strikes the southern line of New Mexico, and then, diverging from that line, follow on in that direction until it reaches the line as fixed by the United States and Spain, by their treaty of 1819; and thus embracing a vast country, abundantly competent to form two or three States—a country which I think the highest ambition of her greatest men ought to be satisfied with as a State and member of this Union.

But, sir, the second of these resolutions makes a proposition to the State of Texas upon which I desire to say a few words. It proposes that the government of the United States will provide for the payment of all that portion of the debt of Texas for which the duties received upon imports from foreign countries was pledged by Texas at a time when she had authority to make pledges. How much it will amount to I have endeavored to ascertain, but all the means requisite to the ascertainment of the sum have not been received, and it is not very essential at this time, because it is the principle and not the amount that is most worthy of consideration. Now, sir, the ground upon which I base this liability on the part of the United States to pay a specified portion of the debt of Texas is not new to me. It is one which I have again and again announced to be an opinion entertained by me. I think it is founded upon principles of truth and eternal justice. Texas, being an independent power, recognized as such by all the great powers of the earth, invited loans to be made to her, to enable her to prosecute the then existing war between her and Mexico. She told those whom she invited to make these loans, that "if you make them, the duties on foreign imports shall be sacredly pledged for the reimbursement of the loans." The loans were made. The money was received, and expended in the establishment of her liberty and her independence. After all this, she annexed herself to the United States, who thenceforward acquired the right to the identical pledge which she had made to the public creditor to satisfy the loan of money which he had advanced to her. The United States became the owners of that pledge, and the recipient of all the duties payable in the ports of Texas.

Now, sir, I do say that, in my humble judgment, if there be honor, or justice, or truth among men, we do owe to the creditors who thus advanced their money upon that pledge, the reimbursement of the money, at all events to the extent that the pledged fund would have reimbursed it, if it had never been appropriated by us to our use. We must recollect, sir, that in relation to that pledge, and to the loan made in virtue and on the faith of it, there were three parties bound—I mean after annexation—the United States, Texas, and the creditor of Texas, who had advanced his money on the faith of a solemn pledge made by Texas.

Texas and the United States might do what they thought proper; but in

justice they could do nothing to deprive the creditor of a full reliance upon the pledge upon the faith of which he had advanced his money. Sir, it is impossible now to ascertain how much would have been received from that source of revenue by the State of Texas if she had remained independent. It would be most unjust to go there now and examine at Galveston and her other ports, to ascertain how much she now receives by her foreign imports; because, by being incorporated into this Union, all her supplies, which formerly were received from foreign countries, and subject—many of them at least—to import duties, are now received by the coasting trade, instead of being received from other countries, as they would have been if she had remained independent. Considering the extent of her territory, and the rapid manner in which her population is increasing, and is likely to increase, it is probable that in the course of a few years there might have been such an amount received at the various ports of Texas—she remaining independent—as would have been adequate to the extinction of the debt to which I have referred.

But, sir, it is not merely in the discharge of what I consider to be a valid and legitimate obligation resting upon the United States to discharge the specified duty, it is not upon that condition alone that this payment is proposed to be made; it is also upon the further condition that Texas shall relinquish to the United States any claim that she has to any portion of New Mexico. Now, sir, although, as I believe, she has not a valid title to any portion of New Mexico, she has a claim; and for the sake of that general quiet and harmony, for the sake of that accommodation which ought to be as much the object of legislation as it is of individuals in their transactions in private life, we may do now what an individual in analogous circumstances might do, give something for the relinquishment of a claim, although it should not be well founded, for the sake of peace. It is, therefore, proposed—and this resolution does propose—that we shall pay the amount of the debt contracted by Texas prior to its annexation to the United States, in consideration of our reception of the duties applicable to the extinction of that debt; and that Texas shall also, in consideration of a sum to be advanced, relinquish any claim which she has to any portion of New Mexico.

The fifth resolution, sir, and the sixth, like the third and fourth, are somewhat connected together. They are as follows:

5th. *Resolved*, That it is inexpedient to abolish slavery in the District of Columbia, whilst that institution continues to exist in the State of Maryland, without the consent of that State, without the consent of the people of the District, and without just compensation to the owners of slaves within the District.

6th. *But Resolved*, That it is expedient to prohibit within the District the slave-trade, in slaves brought into it from states or places beyond the limits of the District, either to be sold therein as merchandise, or to be transported to other markets, without the District of Columbia.

The first of these resolutions, Mr. President, in somewhat different language, asserts substantially no other principle than that which was asserted by the Senate of the United States twelve years ago, upon resolutions which I then offered, and which passed—at least the particular resolution passed—by a majority of four-fifths of the Senate. I allude to the resolution presented

by me in 1838. I shall not enlarge on that resolution; it speaks for itself; it declares that the institution of slavery should not be abolished in the District of Columbia without the concurrence of three conditions; first, the assent of Maryland; second, the assent of the people within the District; and third, compensation to the owners of the slaves within the District for their property.

The next resolution proposed deserves a passing remark. It is that the slave-trade within the District ought to be abolished, prohibited. I do not mean by that the alienation and transfer of slaves from the inhabitants within this District—the sale by one neighbor to another of a slave which the one owns and the other wants, that a husband may perhaps be put along with his wife, or a wife with her husband. I do not mean to touch at all the question of the right of property in slaves among persons living within the District; but the slave-trade to which I refer was, I think, pronounced an abomination more than forty years ago, by one of the most gifted and distinguished sons of Virginia, the late Mr. Randolph. And who is there who is not shocked at its enormity? Sir, it is a great mistake at the North, if they suppose that gentlemen living in the slave states look upon one who is a regular trader in slaves with any particular favor or kindness. They are often—sometimes unjustly, perhaps—excluded from social intercourse. I have known some memorable instances of this sort. But, then, what is this trade? It is a good deal limited since the retrocession of that portion of the District formerly belonging to Virginia. There are Alexandria, Richmond, Petersburg, and Norfolk, south of the Potomac, and Baltimore, Annapolis, and perhaps other ports, north of the Potomac. Let the slave-dealer, who chooses to collect his slaves in Virginia and Maryland, go to these places; let him not come here and establish his jails, and put on his chains, and sometimes shock the sensibilities of our nature by a long train of slaves passing through that avenue leading from this Capitol to the House of the Chief Magistrate of one of the most glorious Republics that ever existed. Why should he not do it? Sir, I am sure I speak the sentiments of every Southern man, and every man coming from the slave states, when I say, let it terminate, and that it is an abomination; and there is no occasion for it; it ought no longer to be tolerated.

The seventh resolution relates to a subject embraced in a bill now under consideration by the Senate. It is as follows:—

7th. *Resolved*, That more effectual provision ought to be made by law, according to the requirements of the constitution, for the restitution and delivery of persons bound to service or labor in any state who may escape into any other state or territory in the Union.

Sir, that is so evident, and has been so clearly shown by the debate which has already taken place on the subject, that I have not now occasion to add another word.

The last resolution of the series of eight is as follows:—

And 8th. *Resolved*, That Congress has no power to prohibit or obstruct the trade in slaves between the slaveholding states; but that the admission or exclusion of slaves brought from one into another of them, depends exclusively upon their own particular laws.

It is obvious that no legislation is necessary or intended to follow that resolution. It merely asserts a truth, established by the highest authority of law in this country, and, in conformity with that decision, I trust there will be one universal acquiescence.

I should not have thought it necessary to embrace in that resolution the declaration which is embraced in it, but that I thought it might be useful in treating of the whole subject, and in accordance with the practice of our British and American ancestors, occasionally to resort to great fundamental principles, and bring them freshly and manifestly before our eyes, from time to time, to avoid their being violated upon any occasion.

Mr. President, you have before you the whole series of resolutions, the whole scheme of arrangement and accommodation of these distracting questions, which I have to offer, after having bestowed on these subjects the most anxious, intensely anxious, consideration ever since I have been in this body. How far it may prove acceptable to both or either of the parties on these great questions, it is not for me to decide. I think it ought to be acceptable to both. There is no sacrifice of any principle, proposed in any of them, by either party. The plan is founded upon mutual forbearance, originating in a spirit of conciliation and concession; not of principles, but of matters of feeling. At the North, sir, I know that from feeling, by many at least cherished as being dictated by considerations of humanity and philanthropy, there exists a sentiment adverse to the institution of slavery.

Sir, I might, I think—although I believe this project contains about an equal amount of concession and forbearance on both sides—have asked from the free states of the North a more liberal and extensive concession than should be asked from the slave states. And why, sir? With you, gentlemen Senators of the free states, what is it? An abstraction, a sentiment—a sentiment, if you please, of humanity and philanthropy—a noble sentiment, when directed rightly, with no sinister or party purposes; an atrocious sentiment—a detestable sentiment—or rather the abuse of it—when directed to the accomplishment of unworthy purposes. I said that I might ask from you larger and more expansive concessions than from the slave states. And why? You are numerically more powerful than the slave states. Not that there is any difference—for upon that subject I cannot go along with the ardent expression of feeling by some of my friends coming from the same class of states from which I come—not that there is any difference in valor, in prowess, in noble and patriotic daring, whenever it is required for the safety and salvation of the country, between the people of one class of states and those of the other. You are, in point of numbers, however, greater; and greatness and magnanimity should ever be allied.

But there are other reasons why concession upon such a subject as this should be more liberal, more expansive, coming from the free than from the slave states. It is, as I remarked, a sentiment, a sentiment of humanity and philanthropy, on your side. Ay, sir, and when a sentiment of that kind is honestly and earnestly cherished, with a disposition to make sacrifices to enforce it, it is a noble and beautiful sentiment; but, sir, when the sacrifice is not to be made by those who cherish that sentiment and inculcate it, but by

another people, in whose situation it is impossible, from their position, to sympathize and to share all and everything that belongs to them, I must say to you, Senators from the free states, it is a totally different question. On your side it is a sentiment without sacrifice, a sentiment without danger, a sentiment without hazard, without peril, without loss. But how is it on the other side, to which, as I have said, a greater amount of concession ought to be made in any scheme of compromise?

In the first place, sir, there is a vast and incalculable amount of property to be sacrificed, and to be sacrificed, not by your sharing in the common burdens, but exclusive of you. And this is not all. The social intercourse, habit, safety, property, life, everything, is at hazard, in a greater or less degree, in the slave states.

Sir, look at that storm which is now raging before you, beating in all its rage pitilessly on your family. They are in the South. But where are your families, where are your people, Senators from the free states? They are safely housed, enjoying all the blessings of domestic comfort, peace and quiet, in the bosom of their own families.

Behold, Mr. President, that dwelling-house now wrapped in flames. Listen, sir, to the rafters and beams which fall in succession, amid the crash; and the flames ascending higher and higher as they tumble down. Behold those women and children who are flying from the calamitous scene, and with their shrieks and lamentations imploring the aid of high Heaven. Whose house is that? Whose wives and children are they? Yours in the free states? No. You are looking on in safety and security, while the conflagration which I have described is raging in the slave states, and produced, not intentionally by you, but produced from the inevitable tendency of the measures which you have adopted, and which others have carried far beyond what you have wished.

In the one scale, then, we behold sentiment, sentiment, sentiment alone; in the other property, the social fabric, life, and all that makes life desirable and happy.

But, sir, I find myself engaged much beyond what I intended, when I came this morning from my lodgings, in the exposition with which I intended these resolutions should go forth to the consideration of the world. I cannot omit, however, before I conclude, relating an incident, a thrilling incident, which occurred prior to my leaving my lodgings this morning.

A man came to my room—the same at whose instance, a few days ago, I presented a memorial calling upon Congress for the purchase of Mount Vernon for the use of the public—and, without being at all aware of what purpose I entertained in the discharge of my public duty to-day, he said to me: “Mr. Clay, I heard you make a remark, the other day, which induces me to suppose that a precious relic in my possession would be acceptable to you.” He then drew out of his pocket, and presented to me, the object which I now hold in my hand. And what, Mr. President, do you suppose it is? It is a fragment of the coffin of Washington—a fragment of that coffin in which now repose in silence, in sleep, and speechless, all the earthly remains of the venerated Father of his Country. Was it portentous that it should

have been thus presented to me? Was it a sad presage of what might happen to that fabric which Washington's virtue, patriotism, and valor, established? No, sir, no. It was a warning voice, coming from the grave to the Congress now in session to beware, to pause, to reflect, before they lend themselves to any purposes which shall destroy that Union which was cemented by his exertions and example. Sir, I hope an impression may be made on your mind such as that which was made on mine by the reception of this precious relic.

And, in conclusion, I now ask every Senator, I entreat you, gentlemen, in fairness and candor, to examine the plan of accommodation which this series of resolutions proposes, and not to pronounce against them until convinced after a thorough examination. I move that the resolutions be read and received.







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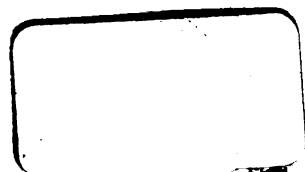
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